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TABLE OF CONTENTS
May 11, 2001 Volume 25, Issue 19

PROPOSED RULES

HUMAN SERVICES, DEPARTMENT OF

Assessment For Determining Eligibility And Rehabilitation Needs	
89 Ill. Adm. Code 553	5980
Collections And Recoveries	
89 Ill. Adm. Code 165	5994
Food Stamps	
89 Ill. Adm. Code 121	6003
Temporary Assistance For Needy Families	
89 Ill. Adm. Code 112	6012

NATURAL RESOURCES, DEPARTMENT OF

Consignment Of Licenses, Stamps And Permits	
17 Ill. Adm. Code 2520	6024
Dove Hunting	
17 Ill. Adm. Code 730	6028
Sport Fishing Regulations For The Waters Of Illinois	
17 Ill. Adm. Code 810	6041
White-Tailed Deer Hunting By Use Of Bow And Arrow	
17 Ill. Adm. Code 670	6103

REVENUE, DEPARTMENT OF

Retailers' Occupation Tax	
86 Ill. Adm. Code 130	6108
Use Tax	
86 Ill. Adm. Code 150	6122

STATE POLICE MERIT BOARD, DEPARTMENT OF

Procedures Of The Department Of State Police Merit Board	
80 Ill. Adm. Code 150	6130

ADOPTED RULES

BANKS AND REAL ESTATE, OFFICE OF

High Risk Home Loans	
38 Ill. Adm. Code 345	6137
Illinois Savings And Loan Act Of 1985	
38 Ill. Adm. Code 1000	6152
Residential Mortgage License Act of 1987	
38 Ill. Adm. Code 1050	6174
Savings Bank Act	
38 Ill. Adm. Code 1075	6197

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

State Vehicles And Garage	
44 Ill. Adm. Code 5040	6221

FINANCIAL INSTITUTIONS, DEPARTMENT OF

Consumer Installment Loan Act

38 Ill. Adm. Code 1106227

Illinois Credit Union Act

38 Ill. Adm. Code 1906244

Sales Finance Agency Act

38 Ill. Adm. Code 1606261

HUMAN SERVICES, DEPARTMENT OF

Eligibility

89 Ill. Adm. Code 6826278

Provider Requirements, Type Services, And Rates Of Payment

89 Ill. Adm. Code 6866282

LABOR, DEPARTMENT OF

Illinois Child Labor Law

56 Ill. Adm. Code 2506291

NATURAL RESOURCES, DEPARTMENT OF

Sport Fishing Regulations For The Waters Of Illinois

17 Ill. Adm. Code 8106296

White-Tailed Deer Hunting By Use Of Muzzleloading Rifles

17 Ill. Adm. Code 6606367

PUBLIC HEALTH, DEPARTMENT OF

Illinois Home Health Agency Code

77 Ill. Adm. Code 2456379

RACING BOARD, ILLINOIS

Entries And Declarations

11 Ill. Adm. Code 13126390

Claiming Races

11 Ill. Adm. Code 5106393

REVENUE, DEPARTMENT OF

Property Tax Code

86 Ill. Adm. Code 1106396

SECRETARY OF STATE

Cancellation, Revocation Or Suspension Of Licenses Or Permits

92 Ill. Adm. Code 10406402

Commercial Driver Training Schools

92 Ill. Adm. Code 10606409

NOTICE OF CORRECTION TO NOTICE ONLY

NATURAL RESOURCES, DEPARTMENT OF

Incidental Taking Of Endangered Or Threatened Species

17 Ill. Adm. Code 10806418

NOTICE OF PUBLIC INFORMATION

BANKS AND REAL ESTATE, OFFICE OF

Notice Of Revocations6419

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

LABOR, DEPARTMENT OF

Statewide Displaced Homemakers Program

56 Ill. Adm. Code 3656420

AGENCY NOTICES OF MODIFICATION, WITHDRAWAL OR REFUSAL TO PROPOSED RULES

STATE POLICE MERIT BOARD, DEPARTMENT OF

Procedures Of The Department Of State Police Merit Board

80 Ill. Adm. Code 150, Withdrawal6421

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Agenda For Meeting Of May 15, 20016422

Second Notices Received6428

ISSUES INDEX I-1

Editor's Note: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

Issue 16-April	14, 2000:	Data Through March	31, 2000
Issue 29-July	14, 2000:	Data Through June	30, 2000
Issue 42-October	13, 2000:	Data Through September	30, 2000
Issue 3-January	19, 2001:	Data Through December	31, 2000 (Annual)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Assessment for Determining Eligibility and Rehabilitation Needs

- 2) Code Citation: 89 Ill. Adm. Code 553

- 3) Section Numbers: Proposed Action:

553.10 Repeal
 553.20 Amendment
 553.25 New Section
 553.30 Amendment
 553.31 New Section
 553.32 New Section
 553.35 Amendment
 553.40 Amendment
 553.50 Amendment
 553.60 Repeal
 553.70 Repeal
 553.75 Repeal
 553.76 Repeal
 553.100 Amendment
 553.110 Repeal
 553.120 Repeal
 553.130 Amendment
 553.140 Amendment
 553.150 Amendment

- 4) Statutory Authority: Implementing and authorized by Section 3 of the Disabled Persons Rehabilitation Act (20 ILCS 2405/3).

- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking revises and rearranges this Part to reflect the new federal regulations on eligibility for VA services and the use of trial work. The order of the Part has been changed to reflect the order of actions to be taken to determine eligibility for VA services. This order makes the rulemaking clearer and better to understand.

- 6) Will this proposed amendment replace an emergency amendment currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

Ms. Susan Weir, Bureau Chief
 Bureau of Administrative Rules and Procedures
 Department of Human Services
 100 South Grand Avenue East
 3rd Floor Harris Bldg.
 Springfield IL 62762
 (217) 785-9772

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary form compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: January 2001

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER 19: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER 1: VOCATIONAL REHABILITATION

PART 553

ASSESSMENT FOR DETERMINING ELIGIBILITY AND
REHABILITATION NEEDS

Section

- 553.10 General Applicability (Repealed)
553.20 Basis for the Determination of Eligibility
553.25 Disability Documentation
553.30 Presumption of Benefit from Vocational Rehabilitation Services
553.31 Trial Work Experiences
553.32 Outcome of Trial Work Experiences
553.35 Services to Non-United States Citizens
553.40 Eligibility Determination Time Frames
553.50 Outcome of the Eligibility Determination
553.50 Documentation of Eligibility Factors/Preliminary Assessment (Repealed)
553.70 Certification of Eligibility (Repealed)
553.75 Trial Work (Repealed)
553.76 Outcome of Trial Work (Repealed)
553.80 Extended Evaluation (Repealed)
553.90 Outcome of Extended Evaluation (Repealed)
553.100 Assessment of Rehabilitation Needs
553.105 Assistance in Attaining Necessary Financial Support (Repealed)
553.110 Outcome of the Assessment of Rehabilitation Needs (Repealed)
553.120 Change in Eligibility Status (Repealed)
553.130 Order of Selection
553.140 Criteria for Significant Disability and Most Significant Disability
553.150 Determination of Serious Limitation to Functional Capacities

AUTHORITY: Implementing and authorized by Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

SOURCE: Emergency rules adopted at 17 Ill. Reg. 11657, effective July 1, 1993, for a maximum of 150 days; adopted at 17 Ill. Reg. 20346, effective November 15, 1993; amended at 19 Ill. Reg. 1834, effective February 6, 1995; amended at 19 Ill. Reg. 10149, effective June 29, 1995; amended at 19 Ill. Reg. 15730, effective November 7, 1995; emergency amendment at 20 Ill. Reg. 10385, effective July 13, 1996, for a maximum of 150 days; emergency expired on December 15, 1996; emergency amendment at 20 Ill. Reg. 11974, effective August 16, 1996, for a maximum of 150 days; emergency expired on January 13, 1997; amended at 21 Ill. Reg. 1386, effective January 17, 1997; amended at 21 Ill. Reg. 2669, effective February 10, 1997; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; amended at 23 Ill. Reg. 1368, effective January 14, 1999; emergency

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

amendment at 23 Ill. Reg. 6544, effective May 17, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 12440, effective September 28, 1999; amended at 23 Ill. Reg. 13222, effective October 18, 1999; amended at 25 Ill. Reg. _____, effective _____.

Section 553.10 General Applicability (Repealed)

~~The Rules contained in this Part are applicable to all customers of the Department of Human Services--Office of Rehabilitation Services (DHS-ORS) Vocational Rehabilitation (VR) Program.~~

(Source: Repealed at 25 Ill. Reg. _____, effective _____.)

Section 553.20 Basis for the Determination of Eligibility

An individual shall be determined to be eligible to receive services through the VR Program if he/she:

- is an individual who has a disability as determined pursuant to Title II and Title XVI of the Social Security Act (42 USC 401 et seq. and 1381 et seq.) and desires to achieve an employment outcome ~~wants to work and can benefit from VR services;~~ or
- is an individual who meets all of the following:
 - is determined by qualified personnel to have a physical or mental impairment that constitutes or results in a substantial impediment to any employment with a disability as defined in Section 4991(a) of the Rehabilitation Act of 1973 (29-USA-785 et seq.) as amended (Act); Pursuant to the Act, to be an individual with a disability, an individual must have a physical or mental impairment which for such individual constitutes or results in a substantial impediment to employment and who can benefit from vocational rehabilitation services in terms of an employment outcome;
 - is determined by a qualified vocational rehabilitation counselor employed by DHS-ORS to require vocational rehabilitation services to prepare for, secure, retain, or regain employment consistent with the customer's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice who requires VR services to prepare for, secure, retain or regain employment; and
 - is presumed to be able to benefit from vocational rehabilitation services in terms of an employment outcome who meets the priority for services established under the DHS-ORS Order of Selection in Section 553.139.

(Source: Amended at 25 Ill. Reg. _____, effective _____.)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 553.25 Disability Documentation

Acceptable information for the purpose of documenting disability shall be one of the following:

- a) existing available medical records;
 - b) existing available acceptable psychological or psychiatric records;
 - c) verification of receipt of Supplemental Security Income or Social Security Disability Income awarded on the basis of disability;
 - d) verification that the individual is receiving, or has within the last year received, services through a special education program;
 - e) any other verification that the individual has been determined by another educational or governmental agency to be an individual with a disability;
 - f) records provided by the individual or the individual's family or guardian; or
 - g) a case note entry reflecting the counselor's professional knowledge of the customer's disability.
- Additional information may be obtained at anytime the counselor deems it necessary to determine disability.

(Source: Added at 25 Ill. Reg. _____, effective _____)

Section 553.30 Presumption of Benefit from Vocational Rehabilitation Services

- a) Any individual who is determined to be an individual with a disability is ~~shall be~~ presumed to be able to benefit from VR services and capable of achieving in terms of a successful employment outcome. This presumption shall continue unless DHS-ORS can demonstrate through clear and convincing evidence that the individual is incapable of benefiting from VR services and becoming successfully employed in terms of a successful employment outcome.
- b) Prior to the determination that the individual is incapable of benefiting from VR services because of the significance of the disability, the individual ~~he/she~~ must be provided undergo a period of trial work pursuant to 89 Ill. Adm. Code 553.31P5.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 553.31 Trial Work Experiences

- a) DHS-ORS shall provide trial work experience by conducting explorations of a customer's abilities, capabilities and capacity to perform in realistic work situations. Trial work experience shall include one or more work settings and be of sufficient variety and over a sufficient period of time to determine whether the individual can or cannot benefit from VR services. Trial work experiences may include

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

supported employment, on-the-job training and other experiences using realistic work settings in the most integrated settings possible. Other examples may include internships, job shadowing, structured volunteer experiences in real work settings and community-based assessments.

- b) Under limited circumstances, if an individual cannot take advantage of other trial work experiences, or if options for trial work experiences have been exhausted before the determination of eligibility has been made, DHS-ORS shall conduct an extended evaluation to make the determination.
- c) DHS-ORS shall develop a written Trial Work Plan to periodically assess the individual's abilities, capabilities and capacity to perform in trial work experiences.
- d) During the time that the trial work experience is being provided, DHS-ORS shall provide appropriate support services to accommodate the vocational rehabilitation needs of the individual.
- e) The trial work experience must be undertaken consistent with the informed choice and rehabilitation needs of the individual.
- f) The trial work experience of the individual shall continue until one of the outcomes described in Section 553.32 is met.

(Source: Added at 25 Ill. Reg. _____, effective _____)

Section 553.32 Outcome of Trial Work Experience

Trial work experience shall be provided to the individual over a sufficient period of time to determine that:

- a) there is sufficient evidence to conclude the individual can benefit from VR services in terms of an employment outcome; or
- b) there is clear and convincing evidence that the individual is incapable of benefiting from VR services in terms of an employment outcome due to the significance of the individual's disability.

(Source: Added at 25 Ill. Reg. _____, effective _____)

Section 553.35 Services to Non-United States Citizens

DHS-ORS will provide services through its VR Program to an individual who is not a citizen of the United States provided that:

- a) the individual holds a proper visa or certification from the Immigration and Naturalization Service INS to allow him/her to be employed while in the United States;
- b) all other eligibility criteria described in this Part are met; and
- c) the individual is expected to remain in the United States for a period of not less than 90 days after the completion of services listed on the customer's IPE (89 Ill. Adm. Code 572) and can be expected to be

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

employed during this period.
(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 553.40 Eligibility Determination Time Frames

After receiving a completed application for VR services, DHS-ORS shall make an eligibility determination and determine the individual's priority to receive services under the Order of Selection within a reasonable time period, not to exceed 60 calendar days from the date the individual applies for services unless:

- a) DHS-ORS notifies the individual that exceptional and unforeseen circumstances beyond DHS-ORS control preclude DHS-ORS from completing a timely determination and the individual agrees to an extension; or
- b) DHS-ORS determines, on the basis of the criteria set forth at 89 Ill. Adm. Code 553.30, that a period of trial work is necessary pursuant to 89 Ill. Adm. Code 553.3175.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 553.50 Outcome-of-the Eligibility Determination

Prior to the end of the eligibility determination period (i.e., 60 days), one of the following must occur:

- a) the customer has been determined to be eligible to receive VR services and has a disability that which will allow services to be provided under the Order of Selection and has an employment outcome consistent with the customer's strengths, resources, priorities, concerns, abilities, capabilities, interest, and informed choice. At this time a Certification of Eligibility shall be completed. The customer will then undergo an Assessment of Rehabilitation Needs pursuant to Section 553.100 of this Part;
- b) the customer is determined eligible but not to have a disability that which allows services to be provided under the Order of Selection. The customer will be offered the option to have his/her name placed on a waiting list to wait until services can be provided to the priority category established under the Order of Selection or to have his/her case closed. The customer shall be referred to other agencies that can provide services, i.e., a comprehensive one-stop center, a private rehabilitation agency, a community rehabilitation program, a Center for Independent Living, etc.;
- c) a trial work period is determined to be necessary. The Written Trial Work Plan A-Certification-of-Trial-Work shall be completed and the trial work shall begin;
- d) the customer does not meet the required eligibility criteria (see Section 553.20). Because of lack of a disability is determined to

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

be ineligible to receive services. A Certification of Ineligibility shall be completed and the individual's case closed; or

- e) the customer's case is closed for reasons other than ineligibility (e.g., the customer has refused services or further services from DHS-ORS, the customer cannot be located), or
- f) the customer's case is closed as he/she is determined ineligible to receive services due to the fact he/she does not meet the required criteria (see 89 Ill. Adm. Code 553.20).

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 553.60 Documentation of Eligibility Factors/Preliminary Assessment (Repealed)

Eligibility shall be assessed to the maximum extent possible and practically from existing medical and psychological records. Acceptable information for the purpose of verification of eligibility factors shall be:

- a) available medical records;
- b) available acceptable psychological or psychiatric records (see 89 Ill. Adm. Code 553.120);
- c) verification of receipt of Supplemental Security Income awarded on the basis of disability;
- d) verification of receipt of Social Security Disability Income benefits awarded to the individual as a result of his/her disability;
- e) verification that the individual is receiving or has within the last year received services through a special education program or another educational or governmental agency to be an individual with a disability; Additional medical, psychological, and psychiatric information shall be obtained only when there is no existing information on which to base the determination of eligibility or there is a conflict between existing records or when a counselor or reason to question whether the record accurately reflects the current medical or psychological condition;

(Source: Repealed at 25 Ill. Reg. _____, effective _____)

Section 553.70 Certification of Eligibility (Repealed)

At any time during the eligibility determination process, but no later than 60 days from the date of a customer's application for services except as provided in Section 553.40 of this Part, a Certification of Eligibility pursuant to 89 Ill. Adm. Code 553.40 shall be completed unless an agreement to extend the eligibility period is signed by the customer and the counselor or a period of trial work (89 Ill. Adm. Code 553.75) is determined to be necessary. The Certification of Eligibility shall document the customer's disability and

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

the customer's need for VR services to teach an employment outcome

(Source: Repealed at 25 Ill. Reg. _____, effective _____)

Section 553.75 Trial Work (Repealed)

- a) ~~if it is likely based on initial documentation that an individual's disability is too significant for that individual to benefit from VR services in terms of an employment outcome, the individual must undergo a period of trial work. BHS/GRS may not deny the individual access to services unless BHS/GRS can prove through clear and convincing evidence that the individual is incapable of benefiting from VR services and unable to achieve a successful employment outcome;~~
- b) ~~trial work is the exploration of a customer's abilities, capabilities and capacity to perform in work situations with at least 2 work opportunities over a mutually agreed period of time. Trial work opportunities may consist of work experiences and training. The customer's inability to take advantage of such opportunities shall be clear and convincing evidence that the customer cannot benefit in terms of employment outcome due to the significance of the customer's disabilities.~~

(Source: Repealed at 25 Ill. Reg. _____, effective _____)

Section 553.76 Outcome of Trial Work (Repealed)

~~If trial work was being used to determine if an individual's disability was too significant to benefit from VR services in terms of an employment outcome, and BHS/GRS is unable to demonstrate through clear and convincing evidence that the individual cannot benefit, he/she shall be presumed to be able to benefit from services (89 Ill. Adm. Code 553.98) and shall be certified as eligible to receive VR services or clear and convincing evidence is in the case file documenting the individual is not capable of benefiting from VR services. A certification of ineligibility shall be completed that includes a summary and rationale for the determination based on the information gathered during the trial work.~~

(Source: Repealed at 25 Ill. Reg. _____, effective _____)

Section 553.100 Assessment of Rehabilitation Needs

- a) If a customer is determined eligible to receive VR services (89 Ill. Adm. Code 553.50(a)), the Assessment form of Rehabilitation Needs

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

- Summary (Assessment)** shall be completed.
- b) A major component of the Assessment shall be the determination of the employment outcome. The choice of the employment outcome shall involve the customer and take the customer's interests into consideration, as well as career counseling provided to and with the customer by the counselor regarding labor market trends and training requirements. The employment outcome should be consistent with the customer's unique strengths, priorities, concerns, abilities, capabilities, career interests and informed choice. The employment outcome chosen by the customer should be supported by the counselor unless the Assessment clearly contraindicates the customer's choice.
- c) The purpose of the Assessment is to determine the vocational rehabilitation services needed to achieve the employment outcome.
- d) The scope of the Assessment shall be limited to that which is necessary to identify the vocational rehabilitation services needed by the customer and to develop the customer's Individualized Plan for Employment (IPE) (89 Ill. Adm. Code 572). To the maximum extent possible, the information used shall be existing information, as well as information available from the customer and, where appropriate, from the customer's family.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 553.110 Outcome of the Assessment of Rehabilitation Needs (Repealed)

~~he Assessment Summary shall be completed by the counselor and filed in the case file when it is determined by the counselor that enough information has been gathered during the Assessment to adequately determine and plan the VR services necessary to ensure the individual a successful employment outcome. The Assessment Summary shall reflect the customer's unique strengths, resources, priorities, and interests needed to identify the nature and scope of services and the specific services that are expected to be necessary to assist the customer in achieving an employment outcome.~~

(Source: Repealed at 25 Ill. Reg. _____, effective _____)

Section 553.120 Change in Eligibility Status (Repealed)

~~if at any time during the eligibility process or assessment, the customer's condition changes to the extent he/she is no longer considered to have a disability, all case activity shall cease; a Certificate of Ineligibility shall be completed and the customer's VR case closed. Customers have the right to request a review of this determination under the procedures of 89 Ill. Adm. Code 558 Appeals and Hearings.~~

(Source: Repealed at 25 Ill. Reg. _____, effective _____)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 553.130 Order of Selection

- a) Pursuant to the provisions of the Rehabilitation Act of 1973, as amended (29 USC 701 et seq.), DHS-ORS has established the following Order of Selection for the priority of provision of services to eligible individuals, which counselors must follow when serving purchasing-services-for customers:

- 1) those individuals determined to have the most significant disabilities;
- 2) those individuals determined to have significant disabilities; and

3) individuals determined to have disabilities.

- b) For the purposes of administering services under the Order of Selection, DHS-ORS has determined that current funding levels allow services to be provided to eligible individuals in the categories established in subsections (a)(1) and (2)-above.

- c) Eligible individuals in subsection (a)(3)-above may choose to let-his/her-choice be placed on a waiting list for services. [See Section 553.50(b).] The waiting-list-will-be-maintained-by DHS-ORS--and-services-offered-if-the-Associate-Director-of-DHS-ORS-or other-individuals-with-disabilities:

- d) An-individual-who-was-determined-eligible-and-began-to-receive services-before-the-effective-date-of-this-amendatory-rulemaking--or-is-determined-eligible-and-begins-to-receive-services-thereafter--will-be-eligible-to-continue-to-receive-services-until-completion-of his/her-rehabilitation-program-regardless-of-changes-made-by-DHS-ORS to-its-Order-of-Selection-or-priority-of-services:

- e) Once-an-eligible-individual-is-assigned-to-a-specific-priority-of service-category-his/her-category-assignment-may-be-changed-to-a higher-priority-category--if-justified-based-on-new-information relating-to-his/her-disability-and-documented-in-the-customer's-case file--but-shall-not-be-moved-to-a-category-of-lower-priority--except as-described-in-Section-553.120-of-this-Part:

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 553.140 Criteria for Significant Disability and Most Significant Disability

- a) Documentation of the determination that the individual has a significant disability or a most significant disability must be in the individual's VR case file, stated-and-justified-in-the-Assessment-Summary-(99-iii--Adm--Code 553.70-and-89-iii--Adm--Code-553.110)-based-on-the-following-information:

- a) An individual who has been determined pursuant to Title II (SSDI) or

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Title XVI (SSI) to be eligible for disability benefits shall be considered an individual with a significant disability.

- b) ~~to-be-considered-an-individual-with-a-most-significant-disability-in determining-priority-for-services-under-the-order-of-Selection (Section-553.130)-in-this-Part-the-individual-must-meet-all-of-the criteria-listed-in-subsection-(c)-below-with-the-exception-that-the customer's-disability-must-seriously-limit-two-or-more-of--the functional-capacities-listed-in-Section-553.150-of-this-Part~~
- b) ~~Otherwise to be considered an individual with a significant disability, the individual to determine priority of services under the Order-of-Selection-(Section-553.130)-he/she must have a disability that which is determined by the rehabilitation counselor/instructor to meet all-four of the following criteria:~~

- 1) ~~The significant disability seriously limits at least one of the individual's functional capacities, as listed in Section 553.150 of this Part;~~

- 2) ~~The individual has a disability or combination of disabilities determined by an evaluation of rehabilitation potential to cause a substantial physical or mental impairment similar but not limited to the following list of disabilities:~~

- A) amputation,
B) arthritis,
C) autism,
D) blindness,
E) burn injury,
F) cancer,
G) cerebral palsy,
H) cystic fibrosis,
I) deafness,
J) head injury,
K) heart disease,
L) hemiplegia,
M) hemophilia,
N) respiratory or pulmonary dysfunction,
O) mental retardation,
P) mental illness,
Q) multiple sclerosis,
R) muscular dystrophy,
S) musculo-skeletal disorders,
T) neurological disorders (including stroke and epilepsy),
U) paraplegia,
V) quadriplegia (and other spinal cord conditions),
W) sickle cell anemia,
X) specific learning disabilities, or
Y) end stage renal failure disease;

- 3) ~~The individual requires two or more VR services to ensure the individual a successful employment outcome, and-----Multiple services---are-defined-as---core---VR---services---counseling---and~~

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

guidance, physical restoration, training, and placement--and are listed in the customer's IPR--
 4) VR services will be required over an extended period of time which is 6 months or more--the time period begins with the implementation of the IPR.

c) To be considered an individual with a most significant disability, the individual must meet all of the criteria listed in subsection (a) of (b), with the exception that the customer's disability must seriously limit two or more of the functional capacities listed in Section 553.150 of this Part.

d) An individual may also be considered an individual with a significant disability if the individual has been determined pursuant to Part 4 of (553) or Part 4 of (554) to be eligible for disability benefits.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 553.150 Determination of Serious Limitation to Functional Capacities

a) For the purpose of determination of significant and most significant disabilities, functional capacities shall include:

- 1) mobility - the ability of an individual to move from place to place and move the body into certain positions (e.g., walking, climbing, kneeling, stooping, sitting, standing);
- 2) self-care - the ability of an individual to perform activities related to his/her health and hygiene (e.g., grooming, bathing, eating, house keeping, medical management, money management);
- 3) self-direction - the ability of an individual to control and regulate his/her own personal, social, and work life (i.e., maintain schedules and routines, follow directions and established rules, organizational skills, etc.);
- 4) work skills - the ability of an individual to perform jobs which exist in the current employment market, regardless of demand for the particular occupation (e.g., learn and maintain work skills, cooperate with others in a work setting, use adequate decision making and problem solving skills);
- 5) work tolerance - the ability of an individual to consistently and adequately perform a job based on the ~~job's~~ physical, emotional, environmental, and psychological demands of the position (e.g., performance on the job is not adversely affected by changes in environment such as cold and heat, has the strength and endurance to perform the job in question);
- 6) interpersonal skills - the ability of an individual to establish and maintain appropriate relationships with other individuals in the work place (e.g., necessary communications, appropriate and acceptable behavior, ability to cooperate in a team setting, understanding, tact); and
- 7) communication - the ability to convey and receive information

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

efficiently and effectively (e.g., ability to hear and understand ordinary spoken language; ability to make one's self understood in ordinary conversation; ability to write or print short notes and communications; and ability to read and correctly interpret short notes, signs, and instructions).

b) A serious limitation to a functional capacity shall exist when it is determined by the rehabilitation counselor/instructor that the customer, because of his/her disability, has functional limitations in performing the major components of the activity or activities listed in subsections (a)(1) through (7) above or needs accommodation to perform the activity.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Collections and Recoveries

2) Code Citation: 89 Ill. Adm. Code 165

3) Section Numbers: Proposed Action:

- 165.10 Amendment
- 165.42 Amendment
- 165.44 New Section
- 165.50 Amendment
- 165.80 Amendment
- 165.82 Amendment
- 165.84 Amendment
- 165.88 Repeal
- 165.104 Amendment
- 165.106 Amendment

4) Statutory Authority: Implementing and authorized by Sections 11-18, 12-4.4 and 12-13 of the Illinois Public Aid Code [305 ILCS 5/11-18, 12-4.4 and 12-13].

5) A Complete Description of the Subjects and Issues Involved: This rulemaking provides that the minimum amount of benefits that may be recovered from an active client's benefits to repay an Intentional Program Violation overpayment will be increased; collection action may be taken against all adult household members simultaneously; the Department may intercept any irregular and/or unexpected State payment; for non-recipients, the debt may be deducted from Federal warrants and State payments, including unemployment benefits; the provisions for installment payment agreements for active clients is discontinued; Public Service as a form of payment of an overpayment claim when ordered by a court is added; and establishment of a claim of \$125 or less when an overpayment is discovered through a Quality Control Review is added.

6) Will this proposed amendment replace an emergency amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after this issue of the *Illinois*

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

Register. All requests and comments should be submitted in writing to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor Harris Bldg.
Springfield IL 62762
Telephone number: (217) 785-9777

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary form compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 2001

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER F: COLLECTIONSPART 165
COLLECTIONS AND RECOVERIES

SUBPART A: GENERAL OVERPAYMENT PROVISIONS

Section	Incorporation By Reference
165.1	Overpayments
165.10	Determination of Financial Assistance Overpayments
165.20	Types of Food Stamp Overpayment Claims
165.30	Determination of Food Stamp Overpayments
165.40	Establishment of Claims for Food Stamp Overpayments
165.42	Acceptable Forms of Food Stamp Payments
165.44	Suspension and Termination of Food Stamp Claims
165.50	

SUBPART B: COLLECTION OF FINANCIAL ASSISTANCE
OVERPAYMENTS FROM CURRENT CASES

Section	Recoupment of Overpayments from Current Temporary Assistance to Needy Families (TANF), Aid to the Aged, Blind or Disabled (AABD) and General Assistance (GA) Cases
165.70	

SUBPART C: COLLECTION OF FOOD STAMP OVERPAYMENTS FROM
CURRENTLY PARTICIPATING HOUSEHOLDS

Section	Initiating Collection from Currently Participating Households
165.80	Methods of Food Stamp Claim Repayment
165.82	Determination of Monthly Benefit Reduction Amount
165.84	Failure to Respond to Initial Demand Letter
165.86	Failure to Comply with Repayment Schedule (Repealed)
165.88	

SUBPART D: COLLECTION OF OVERPAYMENTS FROM NON-RECIPIENTS

Section	Collection of Overpayments from Persons Not Receiving Financial Assistance or Food Stamps
165.100	Demand for Repayment
165.102	Methods of Involuntary Repayment
165.104	Effect of Return to Active Assistance Status
165.106	

AUTHORITY: Implementing and authorized by Sections 11-18, 12-4.4 and 12-13 of the Illinois Public Aid Code [305 ILCS 5/11-18, 12-4.4 and 12-13].

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

SOURCE: Recodified from 89 Ill. Adm. Code 102.100 and 102.110 and 89 Ill. Adm. Code 121.200 through 121.208 at 10 Ill. Reg. 21094; amended at 11 Ill. Reg. 10604, effective May 29, 1987; amended at 12 Ill. Reg. 18192, effective November 4, 1988; amended at 13 Ill. Reg. 3843, effective March 17, 1989; amended at 17 Ill. Reg. 8187, effective May 24, 1993; amended at 17 Ill. Reg. 18113, effective September 29, 1993; emergency amendment at 20 Ill. Reg. 13376, effective October 1, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 3151, effective February 28, 1997; emergency amendments at 21 Ill. Reg. 8607, effective July 1, 1997, for a maximum of 150 days; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 21 Ill. Reg. 15502, effective November 26, 1997; amended at 22 Ill. Reg. 18939, effective October 1, 1998; amended at 25 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL OVERPAYMENT PROVISIONS

Section 165.10 Overpayments

An overpayment is financial assistance, food stamp benefits or both issued in error to or in behalf of a client. The Illinois Department of Human Services (Department) initiates action to recover all overpayments, whether or not a client is currently eligible for financial assistance, food stamp benefits or both. Refer to Section 165.42(d) for food stamp overpayments of \$125 or less. ~~If a food stamp overpayment is \$125 or less, and the household is no longer participating in the food stamp program, no action is taken to recover the overpayment.~~

- If a person currently receives assistance of the type in which the overpayment occurred, the overpayment shall be collected under Subpart B or C, as the case may be, of this Part.
- If a family currently participating in the Temporary Assistance for Needy Families (TANF) program has received an overpayment of AFDC or TANF, and has not repaid the money, the overpayment shall be collected under Subpart B or C, as the case may be, of this Part.
- If a person (including a person who receives only medical assistance) does not currently receive assistance of the type in which the overpayment occurred, the overpayment shall be collected under Subpart D of this Part.

(Source: Amended at 25 Ill. Reg. _____, effective _____.)

Section 165.42 Establishment of Claims for Food Stamp Overpayments

All adult (age 18 or over) members of a Food Stamp household that receives an overpayment are jointly and severally liable for repayment of the overpayment.

- The Department will establish a claim to collect an overpayment against the household that received the overpayment. First priority will be given to collecting claims from currently receiving

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

- households.
- b) If there has been a change in household composition since the overpayment, the Department will establish the claim against a currently receiving household in the following order:
- 1) The household that now contains the head of the overpaid household; or
 - 2) The household that now contains an adult member of the overpaid household; or
 - 3) The household that now contains an adult member of the overpaid household, which currently receives the highest monthly allotment, or, in the case of a claim for an intentional program violation, the highest monthly entitlement.
- c) If there be no currently receiving household against which to establish the claim, the Department will apply the recovery provisions of Subpart D of this Part in accordance with subsection (b) of this Section.
- d) If a food stamp overpayment is \$125 or less and the household is no longer participating in the food stamp program, no overpayment claim is established unless the overpayment was discovered in a Quality Control review.

(Source: Amended at 25 Ill. Reg. _____, effective _____.)

Section 165.44 Acceptable Forms of Food Stamp Payments

The Department shall collect food stamp overpayments by one or more of the following forms of payment:

- a) Reduction of benefits prior to issuance. This includes allotment reduction and offsets to restored benefits.
- b) Reduction of benefits after issuance. These are benefits from electronic benefits transfer (EBT) accounts.
- c) Cash payment or any of its generally accepted equivalents.
- d) Food stamp coupons.
- e) Offsets and intercepts of various State payments, including, but not limited to, unemployment compensation benefits, wage garnishments, income tax refunds and lottery winnings.
- f) Public Service in lieu of paying the claim, when ordered by a court.
- g) Collections through the US Department of the Treasury's collection programs.

(Source: Added at 25 Ill. Reg. _____, effective _____.)

Section 165.50 Suspension and Termination of Food Stamp Claims

- a) If collection action has been initiated and at least one demand letter has been sent, the Department may shall suspend a intentional program

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

- violation--or--inadvertent--household--error--claim--against--a nonparticipating-household--or--administrative-error claim if:
- 1) The household cannot be located, or
 - 2) The cost of further collection action is likely to exceed the amount that can be recovered, or
 - 3) The household has initiated bankruptcy proceedings, or
 - 4) All adult household members are deceased.
- b) A claim may be terminated as uncollectable if it has been suspended for three (3) years. Suspended claims shall be used by the Department to offset any lost benefits to which that a household is entitled to. Lost benefits shall be offset until the entire claim is paid off. (See 89 Ill. Adm. Code 121.95 regarding the Restoration of Lost Benefits.)

(Source: Amended at 25 Ill. Reg. _____, effective _____.)

SUBPART C: COLLECTION OF FOOD STAMP OVERPAYMENTS
FROM CURRENTLY PARTICIPATING HOUSEHOLDS

Section 165.80 Initiating Collection from Currently Participating Households

- a) The Department initiates the collection of all claims by sending a written demand letter to the household pursuant to the requirements of 7 CFR 273.18(d)(3) (1986 with no later editions).
- b) Collection action is taken on all claims except when collection of an intentional program violation claim will prejudice a case referred for prosecution.
- c) Collection action may be taken against all adult household members simultaneously.

(Source: Amended at 25 Ill. Reg. _____, effective _____.)

Section 165.82 Methods of Food Stamp Claim Repayment

- a) A household may repay a claim for intentional program violation, inadvertent household error, and administrative error in full (by cash payment, food stamp coupons, or transfer of electronic benefits) or the monthly benefit amount will be reduced to repay the claim. choose any of the following methods for repayment of claims--for--intentional program--violation--inadvertent--household--error--and--administrative error:
- 1) Full or partial lump-sum payment (cash or food stamp coupons);
 - 2) Negotiated installment payment plan (cash or food stamp coupons); or
 - 3) Reduction of the monthly coupon allotment.

- b) The Department may intercept any irregular and/or unexpected State

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

payments. the monthly installment amount is negotiated with the household. For intentional program violation and inadvertent error claims, if the household is currently participating in the Food Stamp program, the amount of the monthly installment cannot be less than the appropriate allowance reduction amount for the household. The Department and the household have the right to request a renegotiation of the amount of the monthly payment if the household's economic circumstances have changed since the claim was established. Examples of changed economic circumstances include the following:

- 1) a change in a household member's income
- 2) a change in a household composition; and
- 3) a change in a household shelter expenditures.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 165.84 Determination of Monthly Benefit Reduction Amount

- a) For an intentional program violation claim, the reduction amount is the greater of either 20 percent of the household's monthly benefit amount or \$209.90-99.
- b) For an inadvertent household error or an administrative error claim, the reduction amount is the greater of either 10 percent of the household's monthly benefit amount or \$10-99.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 165.88 Failure to Comply with Repayment Schedule (Repealed)

- a) If a household fails to make an installment payment or makes a partial payment, the Department shall notify the household of the overdue payment, explain the terms of the repayment plan and inform it of its right to renegotiate the payment amount.
- b) If a currently participating household against which an intentional program violation claim or an inadvertent household error claim has been established does not respond to the notification of the overdue payment, the household's monthly allotment is reduced without further notice.
- c) If a household makes an overdue payment, the repayment plan is continued unless the household requests a renegotiation of the plan.
- d) If the household requests a renegotiation of the payment plan, for administrative error claims the Department will renegotiate the plan if the household's economic circumstances have changed since the establishment of the claim. Examples of changed economic circumstances include the following:
 - 1) a change in a household member's income
 - 2) a change in household composition; and

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 3) a change in household shelter expenditures.
- e) The Department will renegotiate a payment plan with a currently participating household against which a claim for intentional program violation or an inadvertent household error claim has been established if no agreement is reached; the household's allotment is reduced without notice.

(Source: Repealed at 25 Ill. Reg. _____, effective _____)

SUBPART D: COLLECTION OF OVERPAYMENTS FROM NON-RECIPIENTS

Section 165.104 Methods of Involuntary Repayment

If the debtor has failed for ninety-t 90) days to make regular installment payments to retire the overpayment according to the repayment schedule and a balance due is outstanding, the Department may take any or all of the following actions to collect the overpayment:

- a) Initiation of wage garnishment proceedings, if the overpayment was established by a civil judgment and the Department determines that the debtor is employed.
- b) Referral of the overpayment to a private collection agency for collection.
- c) Referral of the overpayment to the Comptroller of the State of Illinois for collection under Section 10.05 of the State Comptroller Act (15 ILCS 405/10.05).
- d) Initiation of proceedings to obtain a civil judgment under Section 84-6 of the Illinois Public Aid Code (305 ILCS 5/84-7).
- e) Referral of the overpayment to the Treasury Offset Program Internal Revenue Service for deduction of the debt from tax refunds and/or other federal payments in accordance with federal guidelines.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 165.106 Effect of Return to Active Assistance Status

If a debtor, while still owing an overpayment balance due to the Department, returns to active status as a financial assistance recipient or food stamp food Stamp beneficiary, the Department shall immediately cease any action under Section 165.104 to collect that portion of the overpayment that which is related to the type of assistance being received and shall initiate collection actions under Subpart B or C, as the case may be, of this Part 165. The Department shall not take further action under Section 165.104 until such time as the person is no longer receiving that type of assistance, except for households receiving food stamp benefits. The Department may refer food stamp debts to the Comptroller as per Section 165.104(C) to withhold irregular or unexpected State payments, such as, but not limited to, income tax refunds or

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

lottery winnings.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Food Stamps
- 2) Code Citation: 89 Ill. Adm. Code 121
- 3) Section Numbers: 121.151
Proposed Action:
Amendment
- 4) Statutory Authority: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].
- 5) A Complete Description of the Subjects and Issues involved: This rulemaking revises the Section that pertains to Penalties for Intentional Violations of the Food Stamp Program. With this rulemaking, clients convicted of trafficking food stamps are permanently ineligible for the program.
- 6) Will this proposed amendment replace an emergency amendment currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
121.55	Amendment	25 Ill. Reg. 5175 4/13/01
121.57	Amendment	25 Ill. Reg. 5559 4/20/01
121.58	Amendment	25 Ill. Reg. 5559 4/20/01
121.63	Amendment	25 Ill. Reg. 3707 3/9/01
121.63	Amendment	25 Ill. Reg. 2439 2/9/01
121.92	Amendment	25 Ill. Reg. 5175 4/13/01
121.93	Amendment	25 Ill. Reg. 5559 4/20/01

- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor Harris Bldg.

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

Springfield IL 62762
(217) 785-9772

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary form compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2001

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER D: ASSISTANCE PROGRAMS
PART 121
FOOD STAMPS

SUBPART A: APPLICATION PROCEDURES

Section	
121.1	Application for Assistance
121.7	Time Limitations on the Disposition of an Application
121.3	Approval of an Application and Initial Authorization of Assistance
121.4	Denial of an Application
121.5	Client Cooperation
121.6	Emergency Assistance
121.7	Expedited Services
121.10	Interviews

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
121.18	Work Requirement
121.19	Ending a Voluntary Quit Disqualification (Repealed)
121.20	Citizenship
121.21	Residence
121.22	Social Security Numbers
121.23	Work Reinstatement/Participation Requirements
121.24	Individuals Exempt from Work Registration Requirements
121.25	Failure to Comply with Work Provisions
121.26	Period of Sanction
121.27	Voluntary Job Quit/Reduction in Work Hours
121.28	Good Cause for Voluntary Job Quit/Reduction in Work Hours
121.29	Exemptions from Voluntary Quit/Reduction in Work Hour Rules

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section	
121.31	Unearned Income
121.31	Exempt Unearned Income
121.32	Education Benefits
121.33	Unearned Income In-Kind
121.34	Lump Sum Payments and Income Tax Refunds
121.40	Earned Income
121.41	Budgeting Earned Income
121.50	Exempt Earned Income
121.51	Income from Work Study/Training Programs
121.52	Earned Income from Roomer and Boarder

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

121.53

Income From Rental Property

121.54

Earned Income In-Kind

121.55

Sponsors of Aliens

121.57

Assets

121.58

Exempt Assets

121.59

Asset Disregards

SUBPART D: ELIGIBILITY STANDARDS

Section

121.60 Net Monthly Income Eligibility Standards

121.61 Gross Monthly Income Eligibility Standards

121.62 Income Which Must Be Annualized

121.63 Deductions From Monthly Income

121.64 Food Stamp Benefit Amount

SUBPART E: HOUSEHOLD CONCEPT

Section

121.70 Composition of the Assistance Unit

121.71 Living Arrangement

121.72 Nonhousehold Members

121.73 Ineligible Household Members

121.74 Strikers

121.75 Students

121.76 Households Receiving AFDC, SSI, Interim Assistance and/or GA -

Categorical Eligibility

SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

Section

121.80 Fraud Disqualification (Renumbered)

121.81 Initiation of Administrative Fraud Hearing (Repealed)

121.82 Definition of Fraud (Renumbered)

121.83 Notification To Applicant Households (Renumbered)

121.84 Disqualification Upon Finding of Fraud (Renumbered)

121.85 Court Imposed Disqualification (Renumbered)

121.90 Monthly Reporting and Retrospective Budgeting (Repealed)

121.91 Monthly Reporting (Repealed)

121.92 Retrospective Budgeting

121.93 Issuance of Food Stamp Benefits

121.94 Replacement of the EBT Card or Food Stamp Benefits

121.95 Restoration of Lost Benefits

121.96 Uses For Food Coupons

121.97 Supplemental Payments

121.98 Client Training for the Electronic Benefits Transfer (EBT) System

121.105 State Food Program (Repealed)

121.107 New State Food Program

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

121.120

Recertification of Eligibility

121.130

Residents of Shelters for Battered Women and their Children

121.131

Fleeing Felons and Probation/Parole Violators

121.135

Incorporation By Reference

121.140

Small Group Living Arrangement Facilities and Drug/Alcoholic

Treatment Centers

121.145

Quarterly Reporting

SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM

Section

121.150 Definition of Intentional Violations of the Program

121.151 Penalties for Intentional Violations of the Program

121.152 Notification To Applicant Households

121.153 Disqualification Upon Finding of Intentional Violation of the Program

121.154 Court Imposed Disqualification

SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

Section

121.160 Persons Required to Participate

121.162 Participation and Cooperation Requirements

121.164 Orientation

121.166 Assessment and Employability Plan

121.170 Job Search Component

121.172 Basic Education Component

121.174 Job Readiness Component

121.176 Work Experience Component

121.177 Illinois Works Component

121.178 Job Training Component

121.179 JTPA Employability Services Component

121.180 Grant Diversion Component (Repealed)

121.182 Earnfare Component

121.184 Sanctions

121.186 Good Cause for Failure to Cooperate

121.188 Supportive Services

121.190 Conciliation and Fair Hearings

121.200 Types of Claims (Recodified)

121.201 Establishing a Claim for Intentional Violation of the Program

(Recodified)

121.202 Establishing a Claim for Unintentional Household Errors and

Administrative Errors (Recodified)

121.203 Collecting Claim Against Households (Recodified)

121.204 Failure to Respond to Initial Demand Letter (Recodified)

121.205 Methods of Repayment of Food Stamp Claims (Recodified)

121.206 Determination of Monthly Allotment Reductions (Recodified)

121.207 Failure to Make Payment in Accordance with Repayment

(Recodified) Schedule

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

121.208 Suspension and Termination of Claims (Recodified)

SUBPART 1: WORK REQUIREMENT FOR FOOD STAMPS

Section	Work Requirement Components
121.220	Meeting the Work Requirement with the Earnfare Component
121.221	Volunteer Community Work Component
121.222	Work Experience Component
121.223	Supportive Service Payments to Meet the Work Requirement
121.224	Meeting the Work Requirement with the Illinois Works Component
121.225	Meeting the Work Requirement with the JTPA Employability Services Component
121.226	

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875, effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 2, 1979; amended at 3 Ill. Reg. 35, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 29, p. 284, effective July 8, 1980; for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195, amended at 7 Ill. Reg. 3715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 3673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding Section being codified with no substantive change) at 8 Ill. Reg. 17998; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14632, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15914, effective October 1, 1986; Section 121.208 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9958, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 4, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 16161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; peremptory amendment at 14 Ill. Reg.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

effective October 1, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 845, effective January 5, 2001; amended at 25 Ill. Reg. 2423, effective January 25, 2001; emergency amendment at 25 Ill. Reg. 2439, effective January 29, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 3707, effective March 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. _____, effective _____.

SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM

Section 121.151 Penalties for Intentional Violations of the Program

a) Persons found to have intentionally violated the Food Stamp Program, as set forth in Section 121.153(a), are disqualified for:

- 1) for:
 - A) 12 months for the first violation;
 - B) 24 months for the second violation; and
 - C) permanently for the third violation; or
- 2) as specified by a court decision;
- b) A person is permanently disqualified if he or she is convicted of trafficking food stamp benefits of \$500 or more;
- c) A person is disqualified from receiving food stamps for ten years when an Administrative Disqualification Hearing or a Federal or State court convicts him or her of making a false statement or representation about his or her identity or residence and as a result he or she receives more than one food stamp issuance at the same time.
- d) If the person is currently participating in the Food Stamp Program, disqualification begins no later than the second fiscal month (defined at 89 Ill. Adm. Code 101.20) after the month of the hearing decision. Once the period of disqualification is imposed, it continues regardless of the eligibility of the disqualified member's household.
- e) If the person is not participating in the Food Stamp Program, the disqualification begins the month after the month of the hearing decision.
- f) If the individual intentionally failed to report income, the earned income deduction is not applied to that portion of income the individual failed to report (not the entire amount of earned income) when calculating the overpayment amount.

(Source: Amended at 25 Ill. Reg. _____, effective _____.)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

15159, effective October 1, 1990; amended at 14 Ill. Reg. 15693, effective September 30, 1990; amended at 15 Ill. Reg. 11150, effective July 22, 1991; amended at 15 Ill. Reg. 11957, effective August 12, 1991; peremptory amendment at 15 Ill. Reg. 14134, effective October 1, 1991; emergency amendment at 16 Ill. Reg. 757, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10011, effective June 15, 1992; amended at 16 Ill. Reg. 13900, effective August 31, 1992; emergency amendment at 16 Ill. Reg. 16221, effective October 1, 1992, for a maximum of 150 days; peremptory amendment at 16 Ill. Reg. 16345, effective October 1, 1992; amended at 16 Ill. Reg. 16624, effective October 23, 1992; amended at 17 Ill. Reg. 644, effective December 31, 1992; amended at 17 Ill. Reg. 4333, effective March 19, 1993; amended at 17 Ill. Reg. 14625, effective August 26, 1993; emergency amendment at 17 Ill. Reg. 15149, effective September 7, 1993, for a maximum of 150 days; peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993; expedited correction at 17 Ill. Reg. 11216, effective October 1, 1993; amended at 18 Ill. Reg. 2033, effective January 27, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 2509, effective February 28, 1994; amended at 18 Ill. Reg. 8921, effective June 3, 1994; amended at 18 Ill. Reg. 12829, effective August 5, 1994; amended at 18 Ill. Reg. 14103, effective August 26, 1994; amended at 19 Ill. Reg. 5626, effective March 31, 1995; amended at 19 Ill. Reg. 6648, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 12705, effective September 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13595, effective October 1, 1995; amended at 20 Ill. Reg. 1593, effective January 1, 1996; peremptory amendment at 20 Ill. Reg. 2229, effective January 17, 1996; amended at 20 Ill. Reg. 7902, effective June 1, 1996; amended at 20 Ill. Reg. 11935, effective August 14, 1996; emergency amendment at 20 Ill. Reg. 13381, effective October 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 13668, effective October 8, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 3156, effective February 28, 1997; amended at 21 Ill. Reg. 7733, effective June 4, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; emergency amendment at 22 Ill. Reg. 1954, effective January 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 5502, effective March 4, 1998; amended at 22 Ill. Reg. 7969, effective May 15, 1998; emergency amendment at 22 Ill. Reg. 10660, effective June 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 12167, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16230, effective September 1, 1998; amended at 22 Ill. Reg. 19787, effective October 28, 1998; emergency amendment at 22 Ill. Reg. 19934, effective November 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 20099, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 2601, effective February 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 3374, effective March 1, 1999; amended at 23 Ill. Reg. 13253, effective October 13, 1999, for a maximum of 150 days; emergency amendment at 24 Ill. Reg. 3871, effective February 24, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 4180, effective March 2, 2000; amended at 24 Ill. Reg. 10198, effective June 27, 2000; amended at 24 Ill. Reg. 15428, effective October 10, 2000; emergency amendment at 24 Ill. Reg. 15468,

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Temporary Assistance for Needy Families

2) Code Citation: 69 Ill. Adm. Code 112

3) Section Numbers: 112.84
Proposed Action: Amendment

4) Statutory Authority: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].

5) A Complete Description of the Subjects and Issues Involved: These proposed amendments implement the Employment Retention and Advancement Demonstration Project.

6) Will this proposed rulemaking replace an emergency rulemaking currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
112.1	Amendment	25 Ill. Reg. 4380, 3/30/01
121.151		25 Ill. Reg. 4380, 3/30/01

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor Harris Bldg.
Springfield, Illinois 62762
(217) 785-9772

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory agenda on which this rulemaking was summarized: January 2001

The full text of Proposed Amendment begins on the next page:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 112

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

SUBPART A: GENERAL PROVISIONS

Section	
112.1	Description of the Assistance Program
112.2	Time Limit on Receipt of Benefits for Clients Enrolled in Post-Secondary Education
112.5	Incorporation by Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
112.8	Caretaker Relative
112.9	Client Cooperation
112.10	Citizenship
112.20	Residence
112.30	Age
112.40	Relationship
112.50	Living Arrangement
112.52	Social Security Numbers
112.54	Assignment of Medical Support Rights
112.60	Basis of Eligibility
112.61	Death of a Parent (Repealed)
112.62	Incapacity of a Parent (Repealed)
112.63	Continued Absence of a Parent (Repealed)
112.64	Unemployment of the Parent (Repealed)
112.65	Responsibility and Services Plan
112.66	Alcohol and Substance Abuse Treatment
112.67	Restriction in Payment to Households Headed by a Minor Parent
112.68	School Attendance Initiative
112.69	Felons and Violators of Parole or Probation

SUBPART C: TANF EMPLOYMENT AND WORK ACTIVITY REQUIREMENTS

Section	
112.70	Employment and Work Activity Requirements
112.71	Individuals Exempt from TANF Employment and Work Activity Requirements
112.72	Participation/Cooperation Requirements
112.73	Adolescent Parent Program (Repealed)
112.74	Responsibility and Services Plan
112.75	Teen Parent Personal Responsibility Plan (Repealed)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

112.76	TANF Orientation
112.77	Reconciliation and Fair Hearings
112.78	TANF Employment and Work Activities
112.79	Sanctions
112.80	Good Cause for Failure to Comply with TANF Participation Requirements
112.81	Responsible Relative Eligibility for JOBS (Repealed)
112.82	Supportive Services
112.83	Teen Parent Services
112.84	Employment Retention and Advancement Project Work---Experience
112.85	Evaluation Project (Repealed) Four Year College/Vocational Training Demonstration Project (Repealed)

SUBPART E: PROJECT ADVANCE

Section	
112.86	Project Advance (Repealed)
112.87	Project Advance Experimental and Control Groups (Repealed)
112.88	Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers (Repealed)
112.89	Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers (Repealed)
112.90	Project Advance Sanctions (Repealed)
112.91	Good Cause for Failure to Comply with Project Advance (Repealed)
112.93	Individuals Exempt From Project Advance (Repealed)
112.95	Project Advance Supportive Services (Repealed)

SUBPART F: EXCHANGE PROGRAM

Section	
112.98	Exchange Program (Repealed)

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section	
112.100	Unearned Income
112.101	Unearned Income of Stepparent or Parent
112.105	Budgeting Unearned Income
112.106	Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.107	Initial Receipt of Unearned Income
112.108	Termination of Unearned Income
112.110	Exempt Unearned Income
112.115	Education Benefits
112.120	Incentive Allowances
112.125	Unearned Income In-Kind
112.126	Earmarked Income
112.127	Lump-Sum Payments

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENT

112.128 Protected Income (Repealed)
112.130 Earned Income
112.131 Earned Income Tax Credit
112.132 Budgeting Earned Income
112.133 Budgeting Earned Income of Employed Applicants
112.134 Initial Employment
112.135 Budgeting Earned Income For Contractual Employees
112.136 Budgeting Earned Income For Non-Contractual School Employees
112.137 Termination of Employment
112.138 Transitional Payments (Repealed)
112.140 Exempt Earned Income
112.141 Earned Income Exemption
112.142 Exclusion From Earned Income Exemption
112.143 Recognized Employment Expenses
112.144 Income from Work-Study and Training Programs
112.145 Earned Income From Self-Employment
112.146 Earned Income From Roomer and Boarder
112.147 Income From Rental Property
112.148 Payments from the Illinois Department of Children and Family Services
112.149 Earned Income In-Kind
112.150 Assets
112.151 Exempt Assets
112.152 Asset Disregards
112.153 Deferral of Consideration of Assets
112.154 Property Transfers (Repealed)
112.155 Income Limit

SUBPART H: PAYMENT AMOUNTS

Section
112.250 Grant Levels
112.251 Payment Levels
112.252 Payment Levels in Group I Counties
112.253 Payment Levels in Group II Counties
112.254 Payment Levels in Group III Counties
112.255 Limitation on Amount of TANF Assistance to Recipients from Other States (Repealed)

SUBPART I: OTHER PROVISIONS

Section
112.300 Persons who May Be Included in the Assistance Unit
112.301 Presumptive Eligibility
112.302 Reporting Requirements for Clients with Earnings
112.303 Retrospective Budgeting
112.304 Budgeting Schedule
112.305 Strikers
112.306 Foster Care Program

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENT

112.307 Responsibility of Sponsors of Non-Citizens Entering the Country Prior to 8/22/96
112.308 Responsibility of Sponsors of Non-Citizens Entering the Country On or After 8/22/96
112.309 Institutional Status
112.310 Child Care for Representative Payees
112.315 Young Parent Program (Renumbered)
112.320 Redetermination of Eligibility
112.330 Extension of Medical Assistance Due to Increased Income from Employment
112.331 Four Month Extension of Medical Assistance Due to Child Support Collections
112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard (Repealed)
112.340 New Start Payments to Individuals Released from Department of Corrections Facilities (Repealed)

SUBPART J: CHILD CARE

Section
112.350 Child Care (Repealed)
112.352 Child Care Eligibility (Repealed)
112.354 Qualified Provider (Repealed)
112.356 Notification of Available Services (Repealed)
112.358 Participant Rights and Responsibilities (Repealed)
112.362 Additional Service to Secure or Maintain Child Care Arrangements (Repealed)
112.364 Rates of Payment for Child Care (Repealed)
112.366 Method of Providing Child Care (Repealed)
112.370 Non-JOBES Education and Training Program (Repealed)

SUBPART K: TRANSITIONAL CHILD CARE

Section
112.400 Transitional Child Care Eligibility (Repealed)
112.401 Duration of Eligibility for Transitional Child Care (Repealed)
112.402 Loss of Eligibility for Transitional Child Care (Repealed)
112.406 Qualified Child Care Providers (Repealed)
112.410 Notification of Available Services (Repealed)
112.412 Participant Rights and Responsibilities (Repealed)
112.414 Child Care Overpayments and Recoveries (Repealed)
112.416 Fees for Service for Transitional Child Care (Repealed)
112.418 Rates of Payment for Transitional Child Care (Repealed)

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg.

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENT

17, P. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, P. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, P. 44, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, P. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, P. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, P. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, P. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, P. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, P. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, P. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, P. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, P. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, P. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, P. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, P. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, P. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, P. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, P. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, P. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, P. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, P. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, P. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, P. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective June 2, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1981; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENT

Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended by adding Sections being codified with no substantive change) at 7 Ill. Reg. 3193; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 13500, effective November 9, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; amended at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3611, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10626, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 reclassified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15621, effective September 1, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

13625; effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 5667, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3573, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13632, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17274, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6732, effective April 21, 1993; amended at 17 Ill. Reg. 15017, effective September 3, 1993; amended at 17 Ill. Reg. 19156, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19696, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 5909, effective March 31, 1994;

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

amended at 18 Ill. Reg. 6994, effective April 27, 1994; amended at 18 Ill. Reg. 8703, effective June 1, 1994; amended at 18 Ill. Reg. 10774, effective June 27, 1994; amended at 18 Ill. Reg. 12805, effective August 5, 1994; amended at 18 Ill. Reg. 15774, effective October 17, 1994; expedited correction at 19 Ill. Reg. 998, effective October 17, 1994; amended at 19 Ill. Reg. 2845, effective February 24, 1995; amended at 19 Ill. Reg. 5609, effective March 31, 1995; amended at 19 Ill. Reg. 7883, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 10206, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12011, effective August 7, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 12664, effective September 1, 1995; emergency amendment at 19 Ill. Reg. 15244, effective November 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15661, effective November 3, 1995; emergency amendment at 19 Ill. Reg. 15839, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16295, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 3538, effective February 15, 1996; amended at 20 Ill. Reg. 5648, effective March 30, 1996; amended at 20 Ill. Reg. 6018, effective April 12, 1996; amended at 20 Ill. Reg. 7892, effective June 1, 1996; emergency amendment at 20 Ill. Reg. 12499, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14820, effective November 1, 1996; emergency amendment at 20 Ill. Reg. 15983, effective December 9, 1996; emergency amendment at 21 Ill. Reg. 582, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 940, effective January 7, 1997; amended at 21 Ill. Reg. 1366, effective January 15, 1997; amended at 21 Ill. Reg. 2655, effective February 7, 1997; amended at 21 Ill. Reg. 7391, effective May 31, 1997; emergency amendment at 21 Ill. Reg. 8426, effective July 1, 1997, for a maximum of 150 days; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 21 Ill. Reg. 4569, effective November 26, 1997; emergency amendment at 22 Ill. Reg. 4466, effective February 24, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 12197, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 14420, effective July 24, 1998; amended at 22 Ill. Reg. 14744, effective August 1, 1998; amended at 22 Ill. Reg. 16256, effective September 1, 1998; emergency amendment at 22 Ill. Reg. 16365, effective September 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 18082, effective October 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19840, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 598, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1133, effective January 6, 1999; emergency amendment at 23 Ill. Reg. 1133, effective January 7, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1682, effective January 20, 1999; emergency amendment at 23 Ill. Reg. 5881, effective May 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 6958, effective May 30, 1999; amended at 23 Ill. Reg. 7091, effective June 4, 1999; amended at 23 Ill. Reg. 7896, effective July 1, 1999; emergency amendment at 23 Ill. Reg. 8672, effective July 13, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 10530, effective August 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 12648, effective September 27, 1999; amended at 23 Ill. Reg. 13898,

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

effective November 19, 1999; amended at 24 Ill. Reg. 289, effective December 28, 1999; amended at 24 Ill. Reg. 2348, effective February 1, 2000; amended at 25 Ill. Reg. _____, effective _____.

SUBPART C: TANF EMPLOYMENT AND WORK ACTIVITY REQUIREMENTS

Section 112.84 Employment Retention and Advancement Project Work--Experience Evaluation-Project-(repealed)

The Employment Retention and Advancement Project is a 5-year demonstration Project, with an experimental design, operated by the Department. The purpose of the demonstration project is to test the effectiveness of directed career advancement compared to conventional approaches. The project may be extended beyond the initial 5-year period.

?) Selection Criteria

The Department will identify TANF cash clients, under the age of 50, who:

- 1) have been working 30 or more hours per week for 6 or more consecutive months; and
- 2) have had their TANF cash 60-month limit clock stopped for all 6 months; and
- 3) reside in Cook or St. Claire county.

These clients will be randomly assigned to one of the two research groups described in subsection (c) of this Section.

b) Participation Requirements

Participation in the Employment Retention and Advancement Project is mandatory for all persons described in subsection (a) of this Section and selected for participation. Clients must discuss participation in the group described in subsection (c)(1)(A) of this Section with the service provider that initially contacts them and cooperate in all activities of their responsibility and Services Plan (see Section 112.65), as mutually amended with the service provider. A client who, without good cause, fails to participate in the initial discussion with the service provider or with activities added to his/her Responsibility and Services Plan is subject to sanction.

c) Experimental and Control Groups

- 1) Working TANF cash clients identified, pursuant to subsection (a) of this Section, will be randomly assigned to one of the two following research groups:

A) Experimental. This experimental group will receive intensive services focused on education and/or training and/or work-related activities to improve their advancement and earnings potential. The names of clients selected for this group will be sent to a contracted service provider that will aggressively reach out to the sample clients and work with them in selecting appropriate education, training, and/or work-related activities designed to help them move up to better jobs.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

Activities may include developing an advancement plan with specific steps and identifying career ladders, either with the current employer or with another employer or industry. Other approaches might include targeted job development and job search assistance, career counseling, working with employers to develop advancement strategies, removal of specific barriers, coordination of work supports (e.g., child care, transitional Medicaid, employment expenses, etc.). Educational and/or training activities may be included to develop or expand job expertise.

- B) Control - This group is subject to existing policy and practices. These clients continue to be served by local office staff and through any existing relationships with other service providers.

- 2) As long as the Employment Retention and Advancement Project is in effect, a client designated as an experimental or control group member retains that designation for purposes of data collection even if that client leaves the Project area or stops receiving TANF cash. An experimental group member may continue receiving services when he or she leaves the project area or stops receiving TANF cash.

- d) Time Limit on Receipt of Benefits

- 1) Individuals who participate in the Employment Retention and Advancement Project are subject to the TANF 60-month time limit as described in 89 Ill. Adm. Code 112.1 and 112.2, except for clients assigned to the educational and training-focused activities. For participants in educational or training-focused activities, a month will not count toward the 60-month limit if the client is working at least 20 hours per week and has a combination of work and education hours of at least 30 hours per week for a TANF 04 case and 35 hours per week for a TANF 06 case.
- 2) Education hours are calculated using actual class hours. Study hours not included in this calculation.

(Source: Repealed at 21 Ill. Reg. 15597, effective November 26, 1997; New Section added at 25 Ill. Reg. _____, effective _____.)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Consentment of Licenses, Stamps and Permits

2) Code Citation: 17 Ill. Adm. Code 2520

3) Section Numbers:
2520-60 Proposed Action:
Amendment

4) Statutory Authority: Implementing and authorized by Sections 1.4, 3.1, 3.2, 3.37, 3.38 and 3.39 of the Wildlife Code [520 ILCS 5/1.4, 3/1.3.2, 3.37, 3.38 and 3.39] and Sections 1-125, 20-5, 20-10, 20-30, 20-45, 20-55 and 20-120 of the Fish and Aquatic Life Code [515 ILCS 5/1-125, 20-5, 20-10, 20-30, 20-45, 20-55 and 20-120].

5) A Complete Description of the Subjects and Issues Involved: The Department is converting to a phone system for the sale of non-resident deer permits so out of State hunters can obtain their permits prior to coming to Illinois to hunt. The \$4 fee does not cover the cost of the credit card transaction.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
2520.10	Amendment	25 Ill. Reg. 4109, 3/23/01
2520.50	Amendment	25 Ill. Reg. 4109, 3/23/01

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner In which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield IL 62701-1787
217/782-1809

12) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 2000

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
 CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
 SUBCHAPTER f: ADMINISTRATIVE SERVICES

PART 2520

CONSIGNMENT OF LICENSES, STAMPS AND PERMITS

Section	Consignment Requirements
2520.10	Issuing Licenses, Stamps and Permits
2520.20	Terms
2520.30	Credit to Vendor Accounts
2520.40	Issuance of Replacement Hunting, Fishing and Trapping Licenses, Stamps and Permits
2520.50	Sale of Licenses by Telephone or Electronic Transmission
2520.60	

AUTHORITY: Implementing and authorized by Sections 1.4, 3.1, 3.2, 3.37, 3.38 and 3.39 of the Wildlife Code [520 ILCS 5/1.4, 3.1, 3.2, 3.37, 3.38 and 3.39] and Sections 1-125, 20-5, 20-10, 20-30, 20-45, 20-55 and 20-120 of the Fish and Aquatic Life Code [515 ILCS 5/1-125, 20-5, 20-10, 20-30, 20-45, 20-55 and 20-120].

SOURCE: Adopted and codified at 7 Ill. Reg. 8760, effective July 15, 1983; amended at 8 Ill. Reg. 5660, effective April 16, 1984; amended at 9 Ill. Reg. 14626, effective September 17, 1985; amended at 11 Ill. Reg. 4633, effective March 10, 1987; amended at 15 Ill. Reg. 7653, effective May 7, 1991; amended at 16 Ill. Reg. 8479, effective May 28, 1992; amended at 18 Ill. Reg. 9991, effective June 21, 1994; amended at 19 Ill. Reg. 7541, effective May 26, 1995; reclassified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 14417, effective October 25, 1996; amended at 21 Ill. Reg. 6483, effective May 19, 1997; amended at 22 Ill. Reg. 10466, effective June 1, 1998; amended at 23 Ill. Reg. 6818, effective May 20, 1999; amended at 24 Ill. Reg. 1641, effective January 13, 2000; amended at 25 Ill. Reg. _____, effective _____.

Section 2520.60 Sale of Licenses by Telephone or Electronic Transmission

- a) Persons or businesses authorized to issue licenses, stamps or permits and wishing to perform this service by telephone or electronic transmission (such as the Internet) while passing on to the customer a transaction cost above the 50-75 cent issues fee must:
 - 1) Make a request to the Department in writing detailing the proposed process and indicating the types of licenses, stamps or permits that would be sold from the service.
 - 2) Comply with all existing license vendor regulations.
 - 3) If a telephone service is offered, insure that the service is a toll-free phone service.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 4) Package and ship the license, stamp or permit to the customer within 24 hours after receipt of the customer's request.
- 5) Retain sales information for at least 24 months.
- 6) Allow Department staff to audit the process and vendor books.
- b) The issuing agent may charge a convenience fee to the customer, set pursuant to competitive bidding procedures, ~~net-to-exceed~~ 94 to cover the cost of the transaction, including mailing and handling fees. Any convenience fee passed on to the customer must be clearly identified to minimize confusion by clarifying that the fee is not a license fee increase and not a fee passed on to the Department.
- c) If a confirmation number is assigned to the customer for the transaction, the issuing agent will:
 - 1) Seek and obtain permission from the license buyer to put the buyer's signature or initials on the signature area of the license.
 - 2) Record the buyer's driver's license number and state of issue or some other means of identification to identify place of legal residency when the buyer is purchasing a resident license.
 - 3) Issue a unique confirmation number to the buyer based on an approved formula from the Department.
 - 4) Instruct the buyer that they must record the assigned confirmation number on a piece of paper along with the person's name, date of birth, date of the transaction, and mailing address. Buyer will be instructed that this piece of paper must contain the buyer's signature and be kept on the buyer's person while fishing or hunting until the buyer receives the license in the mail.
 - 5) Instruct the buyer that use of the confirmation number as a temporary license is valid up to 30 days from date of sale.
 - 6) Immediately update a license verification database with the transaction information.

(Source: Amended at 25 Ill. Reg. _____, effective _____.)

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Dove Hunting
- 2) Code Citation: 17 Ill. Adm. Code 730
- 3) Section Numbers: Proposed Action:
730.20 Amendment
730.30 Repeal
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to update site specific information, list additional sites open for hunting, list sites being closed to hunting, and repeal the Section on youth hunts (Part 685 is currently being amended to incorporate all youth hunts).
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield IL 62701-1787
217/782-1809
- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance:
None

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENTS

- C) Types of professional skills necessary for compliance: None
 - 13) Regulatory Agenda on which this rulemaking was summarized: July 2000
- The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER 5: FISH AND WILDLIFE

PART 730
DOVE HUNTING

Section
730.10 Statewide Regulations
730.20 Regulations at Various Department-Owned or -Managed Sites
730.30 Youth and Adult Dove Hunts at Various Department-Owned or -Managed Sites (Repealed)

AUTHOR'S NOTE: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11].

SOURCE: Adopted at 5 Ill. Reg. 8792, effective August 25, 1981; codified at 5 Ill. Reg. 10644; amended at 6 Ill. Reg. 9631, effective July 21, 1982; emergency amendment at 6 Ill. Reg. 10040, effective August 24, 1982, for a maximum of 150 days; emergency expired December 30, 1982; amended at 7 Ill. Reg. 10767, effective August 24, 1983; emergency amendment at 7 Ill. Reg. 10999, effective August 24, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 13680, effective July 25, 1984; amended at 9 Ill. Reg. 11601, effective July 16, 1985; emergency amendment at 9 Ill. Reg. 14025, effective September 4, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 15590, effective September 16, 1986; amended at 11 Ill. Reg. 9526, effective May 5, 1987; amended at 11 Ill. Reg. 11346, effective June 10, 1987; amended at 12 Ill. Reg. 12186, effective July 15, 1988; amended at 13 Ill. Reg. 10513, effective June 15, 1989; amended at 14 Ill. Reg. 11193, effective June 29, 1990; amended at 15 Ill. Reg. 9951, effective June 24, 1991; amended at 16 Ill. Reg. 11041, effective June 30, 1992; amended at 17 Ill. Reg. 10761, effective July 1, 1993; amended at 18 Ill. Reg. 10009, effective June 21, 1994; amended at 19 Ill. Reg. 10588, effective July 1, 1995; amended at 20 Ill. Reg. 10861, effective August 5, 1996; amended at 21 Ill. Reg. 11700, effective August 12, 1997; amended at 22 Ill. Reg. 14792, effective August 3, 1998; amended at 23 Ill. Reg. 9043, effective July 28, 1999; amended at 24 Ill. Reg. 8911, effective June 19, 2000; amended at 25 Ill. Reg. _____, effective _____.

Section 730.20 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 - General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) General Regulations
 - 1) Hunters shall possess only bismuth or lead shot size #7 1/2, 8, 9 or size #6 steel or smaller for taking of doves, except as noted under subsection (b)(2), and except these restrictions do not apply during the November portion of dove season.

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENTS

- 2) Only non-toxic shot (as defined by the U.S. Fish and Wildlife Service in 50 CFR 20), #6 steel shot or #7 1/2 bismuth shot or smaller may be possessed on the following areas:

Anderson Lake Conservation Area
Banner Marsh Fish and Wildlife Area
Big Bend State Fish and Wildlife Area (#)
Cache River State Natural Area
Carlyle Lake Wildlife Management Area (subimpoundments only)
Chain O'Lakes State Park
Eldon Hazlet State Park
Green River State Wildlife Area
Hennepin Canal Parkway State Park
Horseshoe Lake Conservation Area (Alexander County)
Horseshoe Lake State Park (Madison County)
Johnson-Sauk Trail State Park
Kaskaskia River State Fish & Wildlife Area (Designated areas)
Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Areas (waterfowl management units and designated non-toxic shot units only)
Maitino State Fish and Wildlife Area
Mississippi River State Fish and Wildlife Area (Pools 25 and 26)
Peabody River King State Fish and Wildlife Area
Rend Lake Project Lands and Waters
Sand Prairie Habitat Area
Sanganois State Fish and Wildlife Area

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENTS

Sangchris Lake State Park

Shabbona Lake State Park

Snake Den Hollow State Fish and Wildlife Area

Ten Mile Creek Fish & Wildlife Area (areas posted as rest area on the Eads Mine and Belle River Units)

Union County Conservation Area

- 3) On areas where hunters are required to hunt from marked or staked sites, hunters must hunt within 10 feet of the marked site.
 - 4) No hunting is allowed within 100 yards of a designated dove management field except for hunters who are part of the hunter quota for that field.
 - 5) At sites indicated by (#), hunters are required to check in and/or sign out as provided for in 17 Ill. Adm. Code 510.
 - 6) At sites where additional regulations apply, they are noted in parentheses after the site name.
 - 7) Hunting hours and hunting dates at all sites that are open during the upland game season shall coincide with hunting hours and hunting dates listed for the respective sites listed in 17 Ill. Adm. Code 530.
- c) Statewide season regulations as provided for in this rule shall apply at the following sites:

Argyle Lake State Park (season opens day after Labor Day)(#)

Bradford Pheasant Area (permit required)

Cache River State Natural Area (#)

Campbell Pond Wildlife Management Area (#)

Carlyle Lake Lands and Waters - Corps of Engineers managed lands (#)

Chauncey Marsh (permit required; may be obtained at Red Hills State Park headquarters; permits must be returned by 15 February)

Cypress Pond State Natural Area (#)

Dog Island Wildlife Management Area (#)

East Conant Field (permit required; must be returned by February 15)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Ferrie Clyffe State Park (#)

Ft. de Chartres State Historic Site (muzzleloading shotgun only) (#)

Ft. Massac State Park (#)

Freeman Mine (permit required)

Hallsville Habitat Area (permit required)

Herschel Workman Habitat Area (permit required)

Horseshoe Lake Conservation Area (season closes at the end of the first statewide split season) (#)

Hurricane Creek Habitat Area (permit required)

Jim Edgar Panther Creek State Fish and Wildlife Area (West Open Unit) (#)

Mallard Pheasant Habitat Area (permit required)

Maytown Habitat Area (permit required)

Mazonia State Fish and Wildlife Area (season closes September 30) (#)

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22, 24

Oakford Conservation Area

Panther Creek Conservation Area (#)

Perdueville Habitat Area (permit required)

Red Hills State Park (#)

Rend Lake Project Lands and Waters (#)

Sand Ridge State Forest (#)

Sangamon County Conservation Area

Sears Field (permit required; must be returned by February 15)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Saybrook Habitat Area (permit required)

Sielbeck Forest Natural Area (#)

Steward Habitat Area (permit required)

Tapley Woods State Natural Area (#)

Ten Mile Creek State Fish and Wildlife Area (permit required; must be returned by February 15)

Trail of Tears State Forest (#)

Wildcat Hollow State Forest

d) Statewide regulations as provided in this Part shall apply at the following sites except that hunting hours are 12 noon to 5 p.m. daily September 1-5; season closes September 30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Banner Marsh Fish and Wildlife Area (#)

Hennepin Canal State Park (#)

Iroquois County Wildlife Management Area (#)

Johnson Sauk Trail State Park (#)

Matthiessen State Park (#)

Mautino Fish and Wildlife Area (#)

Morrison Rockwood State Park (#)

Pyramid State Park (#)

Sanganois State Fish and Wildlife Area

Snake Den Hollow Fish and Wildlife Area (#)

Victoria Pheasant Habitat Area (#)

e) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-5. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Anderson Lake Conservation Area (#)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Big Bend State Fish and Wildlife Area

Big River State Forest (#)

Carlyle Lake Wildlife Management Area (#)

Chain O'Lakes State Park (closes September 5) (#)

Clinton Lake State Recreation Area (dove management fields only) (#)

Eldon Hazlet State Park (closes October 14) (#)

Fox Ridge State Park (dove management fields only)

Giant City State Park (#)

Harry "Babe" Woodyard State Natural Area (permit required) (#)

Hidden Springs State Forest (dove management fields only)

Kaskaskia River State Fish and Wildlife Area (Dora Creek Waterfowl Management Area closes October 14) (#)

Kinkaid Fish and Wildlife Area (#)

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Areas (dove management fields only)

Marseilles Wildlife Area (After Labor Day, site is closed on Fridays, Saturdays, and Sundays through October) (#)

Middle Fork Fish and Wildlife Management Area (dove management fields only) (#)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Moraine View State Park (dove management fields only; season closes October 14) (#)

Newton Lake Fish and Wildlife Area (dove management units) (#)

Peabody River King State Fish and Wildlife Area (east subunit closes October 14) (#)

Randolph County State Conservation Area (#)

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENTS

Ray Norbut State Fish and Wildlife Area (#)
Turkey Bluffs State Fish and Wildlife Area (#)
Union County State Fish and Wildlife Area (season closes at the end of the first statewide split season) (#)
Washington County Conservation Area (closes October 14) (#)
Weinberg-King State Park (#)

f) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Crawford County State Fish and Wildlife Area (#)
Hamilton County State Fish and Wildlife Area (#)
I-24 Wildlife Management Area (#)
Lake Le Aqua Na State Park (#)
Memet Lake State Fish and Wildlife Area (#)
Mt. Vernon Game Propagation Center (#)
Ramey Lake State Park (#)
~~Red-Hits-State Park~~ (#)

Saline County State Fish and Wildlife Area (#)
Sam Dale Lake Conservation Area (#)
Sam Parr State Park (#)
Stephen A. Forbes State Park (season opens day after Labor Day) (#)
Jubilee College State Park (#)
Shabbona Lake State Park (#)
Siloam Springs State Park (#)

g) Statewide regulations apply except that hunting hours are 12 noon to 5

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENTS

p.m. from September 1-5; hunters must obtain a free permit from the Department; permits must be in possession while hunting on the site. Permit must be returned and harvest reported by February 15 or hunter will forfeit hunting privileges for that site for the following season.

Clinton Lake State Recreation Area (except dove management fields)

Fox Ridge State Park (except dove management units; shooting hours after September 3 are 12 noon to sunset)

Hidden Springs State Forest (except dove management fields; shooting hours after September 5 are 12 noon to sunset)

Kickapoo State Park

Lake Shelbyville - Eagle Creek State Park (season opens day after Labor Day; closes October 14; shooting hours are 12 noon to sunset)

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Areas (except dove management fields; shooting hours after September 5 are 12 noon to sunset)

Middle Fork Fish and Wildlife Area (except dove management units)

Moraine View State Park (except dove management fields; season closes October 14)

Newton Lake Fish and Wildlife Area (except dove management units)

h) Permit Areas

1) Permit Season Regulations

A) Permit season dates shall be September 1-5 and hunting hours are 12 noon to 5:00 p.m. at the sites listed at the end of this subsection.

B) Permit Applications

Applicants must contact the Department to obtain a permit reservation. Starting dates and methods for making reservation will be publicly announced. Applicants making reservations will be sent confirmation. Up to 6 reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted; further, persons attempting to make multiple reservations will forfeit the privilege to obtain a reservation for that season.

C) Each person may apply for only one area and receive one

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

permit per season. An applicant may reapply only if his previous application was unsuccessful.

- D) Hunting at these areas is by special permit only for the first five days of the season; thereafter, no permits are required for hunting these sites, except at Jim Edgar Panther Creek State Fish and Wildlife Area as indicated in subsection (h)(3). All permits will be issued from Springfield and not from the site, except at Panther Creek State Fish and Wildlife Area as indicated in subsection (h)(3).

- E) Check in time for registration shall be between 9 a.m. and 11 a.m. each day. Openings after 11 a.m. will be filled by drawing for standbys if more hunters register than there are vacancies.

F) All hunters must wear a DNR issued backpack.

2) Non-Permit Season Regulations

- A) Non-permit season shall be September 6-30 except as indicated in parentheses.
- B) Non-permit hunting hours shall be 12 noon - sunset except as indicated in parentheses.
- C) No permits are required except as indicated in parentheses.
- D) Check in and check out is required except as indicated in parentheses.
- E) Hunter quotas will be filled on a first come-first served basis.

3) Sites

Des Plaines Conservation Area (non-permit hunting hours are 12 noon - 5 p.m.)

Edward R. Madigan State Park

Green River State Wildlife Area/Sand Prairie Habitat Area (non-permit hunting hours are sunrise - sunset)

Horseshoe Lake State Park (Madison County) (non-permit hunting hours are 12 noon - 5 p.m.)

Jim Edgar Panther Creek State Fish and Wildlife Area (non-permit season closes with statewide dove season closing; non-permit season is governed by statewide regulations; permit required as indicated in subsection (g) above; on the Controlled Unit only those hunters engaged in the controlled pheasant hunting program may take doves during the November portion of the dove season; on the Quail Management Unit only those hunters with Quail Management Unit Permits may take doves during the November portion of the dove season)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Kankakee River State Park

Mackinaw River State Fish and Wildlife Area (non-permit hunting hours 12 noon to 5 p.m.)

Sangchris Lake State Park (closed after Sunday of the third weekend in September)

Silver Springs State Park (closed during National Hunting and Fishing Day Weekend)

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 730.30 Youth and Adult Dove Hunts at Various Department-Owned or -Managed Sites (Repealed)

- a) A one-day Youth Dove Hunt will be held the first weekend day in September or Labor Day, whichever comes first, at the following sites:

Horseshoe Lake State Park (Madison County)

Ramsey Lake State Park

Sangchris Lake State Park

Silver Springs State Park

Stephen A. Forbes State Park

- b) A one-day Youth/adult dove hunt will be held the first weekend day in September or Labor Day, whichever comes first, where both the youth and adult will be permitted to hunt at the following sites:

Kankakee River State Park

Mackinaw River State Fish and Wildlife Area

Mt. Vernon Game Farm

Sam Parr State Park

- c) Hunting hours are from 12:00 p.m. to 5:00 p.m. Check-in times from 10:00 a.m. to 11:00 a.m.

- d) Hunter quota will be announced by public news release. Hunter quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available in the condition.

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois
- 2) Code Citation: 17 Ill. Adm. Code 810
- 3) Section Numbers: Amendment
810.45

4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-35 and 25-5].

5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to add fishing regulations for the newly acquired Arch property.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
424 S. Second Street
Springfield IL 62701-1787
217/782-1809

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:
None

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENTS

topography; and configuration of the land at the site; and the number of employees available to work at the site;

e) All hunters must have a hunting permit and wear a back patch while hunting. Stand by permits will be available at the site by lottery drawing if vacancies occur.

f) Applicants must be between the ages of 18 and 35 inclusive, with a valid Illinois hunting license.

g) Each youth must be accompanied by a supervising adult; if the hunter does not have a valid firearm owner's identification (F.O.I.B.) card, the supervising adult is required to have a P.O.I.B. Card. Only one supervising adult in a hunting party is required to have a valid F.O.I.B. Card; if the hunters in the hunting party stay under the immediate control (company, youth hunters at all times) of the supervising adult possessing the valid P.O.I.B. Card, all adult hunters must have a valid P.O.I.B. card.

h) Applicants must contact the Department to obtain a permit reservation. Starting dates and methods for making reservations will be publicized. announced. Applicants making reservations will be sent confirmation. Up to six reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted and that person will forfeit his right to acquire a reservation for the season.

(Source: Repealed at 25 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendment at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendment at 15 Ill. Reg. 5430, effective March 27, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendment at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3277, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 12652, effective August 9, 1994; amended at 19 Ill. Reg. 2396, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5262, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10614, effective July 1, 1995; amended at 20 Ill. Reg. 4640, effective March 6, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 21 Ill. Reg. 9389, amended at 21 Ill. Reg. 4709, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 5590, effective April 15, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12140, effective August 26, 1997; amended at 22 Ill. Reg. 4930, effective March 2, 1998; amended at 23 Ill. Reg. 3439, effective March 9, 1999; emergency amendment at 23 Ill. Reg. 7317, effective June 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 8406, effective June 10, 1999; amended at 24 Ill. Reg. 3736, effective February 25, 2000; amended at 25 Ill. Reg. _____, effective March 26, 2001; amended at 25 Ill. Reg. _____, effective _____.

Section 810.45 Site Specific Water Area Regulations

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

Anderson Lake Fish and Wildlife Area (33)

Fulton County

Andover Lake, City of Andover

Henry County

all Fish

- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Channel Catfish - 6 Fish Daily Creel Limit

Apple River - 6 Fish Daily Creel Limit

Jo Daviess County

Trout - Spring Closed Season (11)

Apple River Basin - Special Management Zone (within the boundaries of Apple River Canyon State Park, including tributaries)

Jo Daviess County

All Fish - 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass - 14" Minimum Length Limit

Arch Property - All Lakes and Ponds, State of Illinois

Perry County

All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creel Limit

White, Black, or Hybrid Crappie - 9" Minimum Length Limit

White, Black, or Hybrid Crappie - 10 Fish Daily Creel Limit

(15)

Bluegill or Redear Sunfish - 8" Minimum Length Limit

Bluegill or Redear Sunfish - 10 Fish Daily Creel Limit

Large or Smallmouth Bass - 18" Minimum Length Limit

Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Argyle Lake, Argyle Lake State Park

McDonough County

All Fish - 2 Pole and Line Fishing Only (1)

Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit

Channel Catfish - 6 Fish Daily Creel Limit

Hybrid Walleye - 3 Fish Daily Creel Limit

Large or Smallmouth Bass (14) - 1 Fish more than 15" and/or 5 less than 12" Daily (12)

Trout - Fall Closed Season (10)

White, Black, or Hybrid - 10 Fish Daily Creel Limit

Crappie (15) - 9" Minimum Length Limit

White, Black, or Hybrid Crappie

Arrowhead Heights Lake, Village of Camp Point

Adams County

All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creel Limit

Arrowhead Lake, City of Johnston City

Williamson County

Large or Smallmouth Bass - 15" Minimum Length Limit

Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Ashland City Reservoir, City of Ashland

- Cass County
- All Fish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Ashley Reservoir, City of Ashley

- Washington County
- All Fish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length

Auburn Park Lagoon, Chicago Park District

- Cook County
- All Fish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Axehead Lake, Cook County Forest Preserve

- Cook County
- All Fish
 - 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit
 - 14" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Baker Lake, City of Peru

- LaSalle County
- All Fish
 - 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Baldwin Lake, Baldwin Lake Conservation Area

- Randolph County
- All Fish
 - 2 Pole and Line Fishing Only
 - 18" Minimum Length Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit
 - 9" Minimum Length Limit

Banana Lake, Lake County Forest Preserve District

- All Fish

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Lake County

- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)

- Peoria/Fulton Counties
- All Fish
 - 2 Pole and Line Fishing Only (1)(34)
 - 6 Fish Daily Creel Limit
 - 3 Fish Daily Creel Limit
 - 12"-18" Protected Slot Length Limit (no possession)
 - 42" Minimum Length Limit
 - 25 Fish Daily Creel Limit
 - 9" Minimum Length Limit

Batchtown Wildlife Management Area (33)

- Calhoun County

Baumann Park Lake, City of Cherry Valley

- Winnebago County
- All Fish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Beall Woods Lake, Beall Woods Conservation Area

- Wabash County
- All Fish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Spring Closed Season (11)
 - Fall Closed Season (10)

Beaver Dam Lake, Beaver Dam State Park

- Macoupin County
- All Fish
 - 2 Pole and Line Fishing Only (1)
 - 25 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - Fall Closed Season (10)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie
- 10 Fish Daily Creel Limit
- 9" Minimum Length Limit
- Beck Lake, Cook County Forest Preserve District
Cook County
All Fish
- 2 Pole and Line
Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 18" Minimum Length Limit
- Channel Catfish
Large or Smallmouth Bass
Walleye, Sauger, or Hybrid
Walleye
- Belk Park Pond, City of Wood River
Madison County
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Large or Smallmouth Bass
- Belleau Lake, Cook County Forest Preserve District
Cook County
- 2 Pole and Line Fishing Only (36)
- 14" Minimum Length Limit
- Fall Closed Season (10)
- Spring Closed Season (11)
- All Fish
Large or Smallmouth Bass
Trout
Trout
- Bevier Lagoon, Naukegan Park District
Lake County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Bird Park Quarry, City of Rankakee
Rankakee County
- Fall Closed Season (10)
- Spring Closed Season (11)
- Trout
Trout
- Bowen Lake, City of Washington
Tazewell County
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12"-15" Protected Slot Length Limit
(no possession)
- 3 Fish Daily Creel Limit
- Channel Catfish
Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Borah Lake, City of Olney
Richland County
- 2 Pole and Line Fishing Only (1)
All Fish

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Channel Catfish
Large or Smallmouth Bass
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Boston Pond, Stephen A. Forbes State Park
Marion County
- Fall Closed Season (10)
- Spring Closed Season (11)
- Trout
Trout
- Braidwood Lake State Fish and Wildlife Area (41)
Will County
- (Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)
- All Fish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- Breeze JC's Park Pond, City of Breeze
Clinton County
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Buckner City Reservoir, City of Buckner
Franklin County
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Channel Catfish
Large or Smallmouth Bass
- Bullfrog Lake, Cook County Forest Preserve District
Cook County
- 2 Pole and Line Fishing Only (1)(36)
All Fish
Large or Smallmouth Bass
Bluegill or Redear Sunfish
Bluegill or Redear Sunfish (14)
- Bunker Hill Lake, City of Bunker Hill
Macoupin County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Channel Catfish
- 6 Fish Daily Creel Limit
- Centralia Lake, City of Centralia
Marion County
- 15" Minimum Length Limit
 - Large or Smallmouth Bass
- Cermack Quarry, Cook County Forest Preserve District
Cook County
- 2 Pole and Line Fishing Only (1)(36)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Channel Catfish.
Large or Smallmouth Bass
- Champaign Park District Lakes (Kaufman Lake, Heritage Lake, and Mattis Lake), Champaign Park District
Champaign County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Charleston Lower Channel Lake, City of Charleston
Coles County
- 2 Pole and Line Fishing Only (1)
- Charleston Side Channel Lake, City of Charleston
Coles County
- 2 Pole and Line Fishing Only (1)
 - All Fish
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - Striped Bass (16)
- Charlie Brown Lake & Pond, City of Flora
Clay County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - Large or Smallmouth Bass
- Charter Oak North - Peoria Park District Lake, Peoria Park District
Peoria County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
 - Large or Smallmouth Bass
 - Large or Smallmouth Bass (14)
- Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Charter Oak South - Peoria Park District Pond, Peoria Park District
Peoria County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Channel Catfish
Large or Smallmouth Bass (14)
- Chauncey Marsh (19)
Lawrence County
- Chenaca City Lake, City of Chenaca
McLean County
- 2 Pole and Line Fishing Only (1)
 - All Fish
- Chicago River (including its North Branch, South Branch, and the North Shore Channel)
Cook County
- 15 Fish Daily Creel Limit
 - Closed During July
- Yellow Perch
Yellow Perch
- Citizen's Lake, City of Monmouth
Warren County
- 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - Fall Closed Season (10)
- Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass (14)
- Trout
- Clear Lake, Kickapoo State Park
Vermillion County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)
- Channel Catfish
Trout
- Clinton Lake, Clinton Lake State Recreation Area (19)
Clinton County
- 2 Pole and Line Fishing Only (1)(16)
 - 16" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 10 Creel/3 Fish 17" or Longer Daily (17)
 - 15 Fish Daily Creel Limit
 - 9" Minimum Length Limit
- All Fish
- Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Coffeeen Lake, Coffeeen Lake State Fish and Wildlife Area
Montgomery County
Channel Catfish
- All jugs must be attended at all times while fishing (2)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- 9" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
White, Black, or Hybrid
Crappie
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
Coles County Airport Lake, Coles County Airport
Coles County
All Fish
Channel Catfish
Large or Smallmouth Bass
Coles County Airport Lake, State of Illinois
Whiteside County
Trout
Trout
Columbus Park Lagoon, Chicago Park District
Cook County
All Fish
Channel Catfish
Cook Co. F.P.D. Lakes, Cook County Forest Preserve District
Cook County
All Fish
Large or Smallmouth Bass
Coulterville City Lake, City of Coulterville
Randolph County
All Fish
Channel Catfish
Crab Orchard National Wildlife Refuge - Crab Orchard Lake, U.S. Fish and Wildlife Service (19)
Williamson County
All Fish
Striped, White, or Hybrid
Striped Bass (16)
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)(4)
- 10 Creel/3 Fish 17" or Longer Daily (17)
- 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Crab Orchard National Wildlife Refuge - Devil's Kitchen Lake, U.S. Fish and Wildlife Service (19)
Williamson County
All Fish
- 2 Pole and Line Fishing Only (1)
Crab Orchard National Wildlife Refuge - Little Grassy Lake, U.S. Fish and Wildlife Service (19)
Williamson County
All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
Large or Smallmouth Bass
Crab Orchard National Wildlife Refuge, Refuge Ponds (except Visitor Pond), U.S. Fish and Wildlife Service
Williamson County
All Fish
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
Crab Orchard National Wildlife Refuge, Visitor Pond, U.S. Fish and Wildlife Service
Williamson County
All Fish (30)
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 21" Minimum Length Limit
Crawford Co. Cons. Area - Picnic Pond, Crawford County Conservation Area
Crawford County
All Fish
Channel Catfish
Large or Smallmouth Bass
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Fall Closed Season (10)
Crawford Co. Cons. Area Ponds, Crawford County Conservation Area
Crawford County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
Crull Impoundment Wildlife Management Area (33)
Jersey County
Crystal Lake, Urbana Park District
Champaign County
All Fish
Channel Catfish
Dawson Lake & Park Ponds, Moraine View State Park
McLean County
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- All Fish
- 25 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Walleye (14)
- 9" Minimum Length Limit
- 15 Fish Daily Creel Limit
- White, Black or Hybrid Crappie
- White, Black or Hybrid Crappie (15)

Decatur Park Dist., Ponds, City of Decatur
Macon County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Channel Catfish

Deep Pit Lake, Boone County Conservation District

- Boone County
- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit

Defiance Lake, Moraine Hills State Park
McHenry County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit

Des Plaines River Basin - Special Management Zone (Hoffman Dam to 47th Street Bridge, including tributaries)

- Cook County
- Channel Catfish
- 15" Minimum Length Limit
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- Catch and Release Only -
- No Harvest Permitted (9)
- Northern Pike
- 30" Minimum Length Limit
- Northern Pike
- 1 Fish Daily Creel Limit
- White, Black or Hybrid Crappie (15)
- 10 Fish Daily Creel Limit

- Walleye, Sauger, or Hybrid Walleye
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Walleye, Sauger, or Hybrid Walleye (14)

Des Plaines River Conservation Area (19)
Will County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Diamond Lake, City of Mundelein
- Lake County
- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)

Dog Island Wildlife Management Area (19)
Pope County

Dolan Lake, Hamilton County
Conservation Area
Hamilton County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish
- 8" Minimum Length Limit
- Bluegill or Redear Sunfish (14)
- 10 Fish Daily Creel Limit
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit

Donnelley State Wildlife Area (33)
Bureau County

Douglas Park Lagoon, Chicago Park District
Cook County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit

DuPage County Forest Preserve District Lakes and Ponds, DuPage County Forest Preserve District

- DuPage County
- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit

DuPage River - West Branch (between the dams located in the McDowell Grove Forest Preserve and the Warrenville Grove Forest Preserve)

- DuPage County
- Large or Smallmouth Bass
- Catch and Release Fishing Only (9)

East Fork Lake, City of Olney
Richland County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit
- White, Black, or Hybrid Crappie (15)
- 25 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Fox River Basin - Special Management Zone (North Aurora Dam to Montgomery Dam, including tributaries)
 Kane County
 Large or Smallmouth Bass - 14" Minimum Length Limit

Fox River Basin - Special Management Zone (South Elgin Dam to North Aurora Dam, including tributaries)
 Kane County
 Large or Smallmouth Bass - Catch and Release Only - No Harvest Permitted (9)

Frank Holten Lakes, Frank Holten State Park
 St. Clair County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)
 Trout

Franklin Creek (within the boundaries of Franklin Creek State Natural Area)
 Lee County
 All Fish - 2 Pole and Line Fishing Only (1)(9)

Fuller Lake (19)
 Calhoun County
 Fulton County Camping and Recreation Area Waters, Fulton County Board
 Fulton County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 12"-15" Protected Slot Length Limit (no possession)
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
 Blue Gill or Redear Sunfish (14) - 25 Fish Daily Creel Limit

Gages Lake, Wildwood Park District
 Lake County
 All Fish - 2 Pole and Line Fishing Only (1)
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
 Walleye, Sauger, or Hybrid - 16" Minimum Length Limit
 Walleye
 Walleye (14) - 3 Fish Daily Creel Limit

Garfield Park Lagoon, Chicago Park District
 Cook County
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Walleye, Sauger, or Hybrid
 Walleye
 Walleye (14)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

All Fish
 Channel Catfish - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Gebhard Woods Ponds, Gebhard Woods State Park
 Grundy County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Spring Closed Season (11)
 Trout

Giant City Park Ponds, Giant City State Park
 Jackson and Union Counties
 Largemouth and Spotted Bass - 15" Minimum Length Limit

Gillespie New City Lake, City of Gillespie
 Macoupin County
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Gillespie Old City Lake, City of Gillespie
 Macoupin County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Glades - 12 Mile Island Wildlife Management Area (33)
 Jersey County

Gladstone Lake, Henderson County Conservation Area
 Henderson County
 All Fish - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
 Channel or Blue Catfish (14) - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Glen Oak Park Lagoon, Peoria Park District
 Peoria County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Glen Shoals Lake, City of Hillsboro
 Montgomery County
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
 Striped, White, or Hybrid - 17" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
- 3 Fish Daily Creel Limit

Godar-Diamond/Hurricane Island Wildlife Management Area (33)
Calhoun County

Gompers Park Lagoon, Chicago Park District
Cook County

All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Gordon F. More Park Lake, City of Alton
Madison County

All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Limit

Governor Bond Lake, City of Greenville
Bond County

Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)
- All jugs must be attended at all times while fishing (2)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit

Grayslake Park District (Grayslake and Park Ponds)

Lake County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Greenfield City Lake, City of Greenfield
Greene County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12"-15" Protected Slot Length Limit (no possession)
- 5 Fish Under 12" and 1 Fish Over 15" Daily Creel Limit

Greenville Old City Lake, City of Greenville
Bond County

All Fish
Channel Catfish
Trout
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Harrisburg New City Reservoir, City of Harrisburg
Saline County

All Fish
Channel Catfish
Striped, White, or Hybrid Striped Bass
Striped, White or Hybrid Striped Bass (16)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Harrisburg Holding Pits North and South, City of Harrisburg
Saline County

All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Heidecke Lake, Heidecke Lake State Fish and Wildlife Area
Cundy County (41)

(Heidecke Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass (16)
Walleye, Sauger, or Hybrid
Walleye
Walleye, Sauger, or Hybrid
Walleye (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)
- 22" Minimum Length Limit
- 3 Fish Daily Creel Limit

Heimbold Slough (19)
Calhoun County

Hennepin Canal-Mainline & Feeder, Hennepin Canal Parkway State Park
Multiple Counties
All Fish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)(13)
- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Trout
Trout
- Herrin Lake #1, City of Herrin
Williamson County
Large or Smallmouth Bass (14)
Large or Smallmouth Bass (14)
- Herrin Lake #2, City of Herrin
Williamson County
All Fish
Channel Catfish
- Hidden Springs State Forest Ponds, Hidden Springs State Forest
Shelby County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Large or Smallmouth Bass (14)
- Highland Old City Lake, City of Highland
Madison County
All Fish
Channel Catfish
Trout
- Hillsboro Old City Lake, City of Hillsboro
Montgomery County
All Fish
Channel Catfish
Channel Catfish
Large or Smallmouth Bass
- Homer Guthrie Pond - Eldon Hazlet State Park, State of Illinois
Clinton County
All Fish
Channel Catfish
Bluegill or Redear Sunfish (14)
Large or Smallmouth Bass
- Homer Lake, Champaign County Forest Preserve District
Champaign County
All Fish
Bluegill or Redear Sunfish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
- Fall Closed Season (10)
- Spring Closed Season (11)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15 Fish Daily Creel Limit
- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Hornel Pond, Donnelly State Fish and Wildlife Area
Bureau County
All Fish
Channel Catfish
Large or Smallmouth Bass
- Horseshoe Lake-Alexander Co., Horseshoe Lake Conservation Area
Alexander County
(Only trolling motors in refuge from October 5-March 1)
All Fish
Channel Catfish
Large or Smallmouth Bass
- Horseshoe Lake-Madison County, Horseshoe Lake State Park (33)
Madison County
All Fish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black or Hybrid
Crappie (15)
- Horton Lake, Nauvoo State Park
Hancock County
All Fish
Channel Catfish
- Hulit Park Big Lake, Canton Park District
Fulton County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Humbolt Park Lagoon, Chicago Park District
Cook County
All Fish
Channel Catfish
- Illinois & Michigan Canal, State of Illinois
Grundy/Lasalle/Will Counties
All Fish
Channel Catfish
Large or Smallmouth Bass
Trout
- 2 Pole and Line Fishing Only (1)
Only (1)(5)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 2 Pole and Line Fishing Only (1)
(5)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 2 Pole and Line Fishing Only (1)
(1)(28)(34)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Illinois Beach State Park Ponds, Illinois Beach State Park
Lake County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Illinois Department of Transportation Lake, State of Illinois
Sangamon County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Large or Smallmouth Bass
- Fall Closed Season (10)
- Spring Closed Season (11)
- Trout

Illinois River - Pool 26 (19)
Calhoun County

Illinois River, State of Illinois
Multiple Counties

- Large or Smallmouth Bass
- 12" Minimum Length Limit

Independence Grove Lake, Lake County Forest Preserve District
Lake County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit
- 48" Minimum Length Limit
- Fute Muskellunge

Indian Boundary South Pond, Frankfort Square Park District
Will County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Jackson Park (Columbia Basin) Lagoon, Chicago Park District
Cook County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Jim Edgar/Panther Creek Fish and Wildlife Area, All Lakes and
Ponds, Jim Edgar/Panther Creek Fish and Wildlife Area

- Cass County
- All Fish
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- Bluegill or Redear Sunfish
- 10 Fish Daily Creel Limit
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Jim Edgar/Panther Creek Fish and Wildlife Area, Gurney Road Pond,
Jim Edgar/Panther Creek Fish and Wildlife Area

- Cass County
- All Fish
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- Bluegill or Redear Sunfish
- 10 Fish Daily Creel Limit
- Channel Catfish
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Large or Smallmouth Bass
- 3 Fish Daily Creel Limit
- Spring Closed Season (11)
- Trout

Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park
Henry County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit

Jones Park Lake, City of East St. Louis
St. Clair County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Trout
- Fall Closed Season (10)
- Spring Closed Season (11)

Jones State Lake, Saline County Conservation Area
Saline County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14"-18" Protected Slot Length Limit (no possession) (38)
- Large or Smallmouth Bass
- 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit

Jones Lake Trout Pond, Saline County Conservation Area
Saline County

- Trout
- Fall Closed Season (10)

Jubilee College State Park Ponds,
Jubilee College State Park

- Peoria County
- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit

Kankakee River Basin - Special Management Zone (Wilmington Dam to the Mouth of
the Kankakee River, including tributaries)
Will/Grundy Counties

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Large or Smallmouth Bass
 Limit (no possession) (37)
 - 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit
- Large or Smallmouth Bass (14)
- Kankakee River Basin - Special Management Zone (Kankakee Dam to the Wilmington Dam, including tributaries)
 Kankakee/Will Counties
 Large or Smallmouth Bass
 Large or Smallmouth Bass
 Large or Smallmouth Bass
 Large or Smallmouth Bass
 through June 15 (9)
- 12" - 16" Protected Slot Length
 Limit (no possession) (37)
 - 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit
- 14" Minimum Length Limit
 - Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)
- Kankakee River State Park (19)
 Kankakee/Will Counties
- Kankakee River Fish and Wildlife Area (19)
 St. Clair/Randolph/Monroe Counties
- Kaskaskia River Fish and Wildlife Area - Doza Creek Wildlife Management Area (33)
 St. Clair County
- Kendall Co. Lake #1, Kendall County Forest Preserve District
 Kendall County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Kent Creek
 Winnebago County
 Trout
- Spring Closed Season (11)
- Kickapoo State Park Lakes & Ponds, Kickapoo State Park
 Vermillion County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Kincaid City Reservoir, City of Kincaid
 Christian County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Kincaid Lake, Kincaid Lake State Fish and Wildlife Area (19)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Jackson County
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Pure Muskellunge
 White, Black, or Hybrid
 Crappie
 White, Black, or Hybrid
 Crappie (15)
- 16" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 48" Minimum Length Limit (40)
 - 9" Minimum Length Limit
 - 25 Fish Daily Creel Limit
- Kimnuddy Reservoir, City of Kimnuddy
 Marion County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)(5)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Lake Atwood, McHenry County Conservation District
 McHenry County
 All Fish
 Channel Catfish
 Trout
- 2 Pole and Line Fishing Only (1)
 6 Fish Daily Creel Limit
 Spring Closed Season (11)
- Lake Bloomington, City of Bloomington
 McLean County
 All Fish
 Bluegill or Redear Sunfish
 Bluegill or Redear Sunfish (14)
 Large or Smallmouth Bass
 Striped, White, or Hybrid
 Striped Bass
 Striped, White, or Hybrid
 Striped Bass (16)
 White, Black, or Hybrid
 Crappie (15)
- 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit
- Lake Carluch, Morrison-Reckwood State Park
 Whiteside County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass (14)
 Large or Smallmouth Bass
 Pure Muskellunge
 White, Black, or Hybrid
 Crappie (15)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 36" Minimum Length Limit
 - 25 Fish Daily Creel Limit
- Lake Chautaugua North Pool, U.S. Fish and Wildlife Service
 Mason County
 Largemouth Bass
- 15" Minimum Length Limit (12")

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Minimum Length Limit when
the Illinois River overflows the
levee system of the North Pool)

Lake Co. Forest Preserve District Lakes, Lake County Forest Preserve District

- Lake County
All Fish
Channel Catfish
Large Smallmouth Bass (14)
Large or Smallmouth Bass
Walleye, Sauger, or
Hybrid Walleye
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 16" Minimum Length Limit

Lake Decatur, City of Decatur

Macon County

- All Fish
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
 - 10" Minimum Length Limit
 - 10 Fish Daily Creel Limit

Lake Depue Fish and Wildlife Area (33)

Bureau County

Lake Eureka, City of Eureka

Woodford County

- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Lake George, Loud Thunder Forest Preserve

Rock Island County

- All Fish
Channel Catfish
Large or Smallmouth Bass
Pure Muskellunge
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 36" Minimum Length Limit
 - 17" Minimum Length Limit
 - 1 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit

Lake Jacksonville, City of Jacksonville

Morgan County

- All Fish
Bluegill or Redear Sunfish
- 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Bluegill or Redear Sunfish

- Channel Catfish
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie
- 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit
 - 9" Minimum Length Limit

Lake Kakusha, City of Mendota

LaSalle County

- All Fish
Bluegill or Redear Sunfish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park

Stephenson County

- All Fish
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 10 Fish Daily Creel Limit

Lake Mendota, City of Mendota

LaSalle County

- All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 1 Fish >or=15" &/or 2 <
12" Daily (31)

Lake Michigan (Illinois Portion), State of Illinois

Lake/Cook Counties

- Trout and Salmon
Trout and Salmon
Lake Trout
Yellow Perch
Yellow Perch
- 10" Minimum Length Limit
 - no more than 5 fish of any one species daily, except for Lake Trout
 - 2 Fish Daily Creel Limit
 - 15 Fish Daily Creel Limit
 - Taking of yellow perch from charter

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

boats is prohibited
 - Closed During July
 - Catch and Release Fishing Only
 (no possession) (9)

Lake Milliken, Des Plaines Conservation Area

Will County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Spring Closed Season (11)

Lake Mingo & Kennekuk Cove Park Ponds, Vermilion County Conservation Area

Vermilion County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Lake Murphysboro, Lake Murphysboro State Park

Jackson County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 3 Fish Daily Creel Limit

Lake Nellie, City of St. Elmo

Fayette County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass (14)
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)(5)
 - 6 Fish Daily Creel Limit
 - 3 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Lake of the Woods & Elk's Pond, Champaign County Forest Preserve District

Champaign County
 All Fish
 Bluegill or Redear Sunfish
 Bluegill or Redear Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Trout
 - 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
 - Spring Closed Season (11)

Lake Owen, Hazel Crest Park District

Cook County
 All Fish
 Channel Catfish
 Lake Paradise, City of Mattoon
 Coles County
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

All Fish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit

Lake Paradise Shadow Ponds, City of Mattoon

Coles County
 All Fish
 Large or Smallmouth Bass
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit
 - 6 Fish Daily Creel Limit

Lake Sara, City of Effingham

Effingham County
 Large or Smallmouth Bass
 White, Black, or Hybrid
 Crappie (15)
 - 14" Minimum Length Limit
 - 25 Fish Daily Creel Limit

Lake Shelbyville (21), U.S. Army Corps of Engineers

Moultrie/Shelby Counties
 (During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad Bridge from one-half hour before sunrise to 1 p.m.)
 Large or Smallmouth Bass
 Pure Muskellunge
 White, Black, or Hybrid
 Crappie (15)
 White, Black, or Hybrid
 - 14" Minimum Length Limit (40)
 - 48" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 10" Minimum Length Limit

Lake Shelbyville - Project Ponds & Woods Lake, Lake Shelbyville State Fish and Wildlife Area (33)

Moultrie/Shelby Counties
 All Fish

Channel Catfish
 Large or Smallmouth Bass
 White, Black, or Hybrid
 Crappie
 White, Black, or Hybrid
 Crappie (15)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 10" Minimum Length Limit
 - 10 Fish Daily Creel Limit

Lake Sinnissippi (19)

Whiteside County

Lake Springfield, City of Springfield

Sangamon County
 All Fish
 Large or Smallmouth Bass
 White, Black, or Hybrid
 Crappie (15)
 White, Black, or Hybrid
 - 2 Pole and Line Fishing Only (1)
 - 15" minimum Length Limit
 - 25 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Lake Storey, City of Galesburg Knox County	Crappie	- 9" Minimum Length Limit
	All Fish	- 2 Pole and Line Fishing Only (1)
Lake Strini, Village of Romeoville Will County	Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
	Channel or Blue Catfish (14)	- 6 Fish Daily Creel Limit
	Large or Smallmouth Bass	- 12-15" Slot Length Limit (3)
	Pure Muskellunge	- 42" Minimum Length Limit
	Walleye, Sauger, or Hybrid	- 3 Fish Daily Creel Limit
	Walleye (14)	- 3 Fish Daily Creel Limit
Lake Sule, Flag-Rochelle Park District Ogle County	All Fish	- 2 Pole and Line Fishing Only (1)
	Bluegill or Redear Sunfish (14)	- 6 Fish Daily Creel Limit
	Channel Catfish	- 6 Fish Daily Creel Limit
Lake Taylorville, City of Taylorville Christian County	Large or Smallmouth Bass	- 14" Minimum Length Limit
	White, Black, or Hybrid	- 1 Fish Daily Creel Limit
	Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
	Pure Muskellunge	- 36" Minimum Length Limit
	White, Black or Hybrid	- 10 Fish Daily Creel Limit
	Crappie (15)	- 10 Fish Daily Creel Limit
	Crappie (15)	- 10 Fish Daily Creel Limit
Lake Vandalia, City of Vandalia Fayette County	All Fish	- 2 Pole and Line Fishing Only (1)
	Channel Catfish	- 6 Fish Daily Creel Limit
	Large or Smallmouth Bass	- 14" Minimum Length Limit
	Striped, White, or Hybrid	- 17" Minimum Length Limit
	Striped Bass	- 17" Minimum Length Limit
Lake Vermilion, Vermilion County Conservation District Vermilion County	Striped, White, or Hybrid	- 3 Fish Daily Creel Limit
	Striped Bass (16)	- 3 Fish Daily Creel Limit
	Striped Bass (16)	- 3 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Lake Storey, City of Galesburg Knox County	Crappie	- 9" Minimum Length Limit
	White, Black, or Hybrid	- 25 Fish Daily Creel Limit
	Crappie (15)	- 25 Fish Daily Creel Limit
	Crappie (15)	- 25 Fish Daily Creel Limit
Lake Victoria, City of South Beloit Winnebago County	All Fish	- 2 Pole and Line Fishing Only (1)
	Channel Catfish	- 6 Fish Daily Creel Limit
	Large or Smallmouth Bass	- 14" Minimum Length Limit
Lake Williams, City of Williamsville Sangamon County	All Fish	- 2 Pole and Line Fishing Only (1)
	Channel Catfish	- 6 Fish Daily Creel Limit
	Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
LaSalle Lake, LaSalle Power Station LaSalle County	All Fish	- 2 Pole and Line Fishing Only (1)
	Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
	Large or Smallmouth Bass	- 18" Minimum Length Limit
Levings Lake, Rockford Park District Winnebago County	All Fish	- 2 Pole and Line Fishing Only (1)
	Channel Catfish	- 6 Fish Daily Creel Limit
	Large or Smallmouth Bass	- 14" Minimum Length Limit
Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site Coles County	All Fish	- 2 Pole and Line Fishing Only (1)
	Channel Catfish	- 6 Fish Daily Creel Limit
	Large or Smallmouth Bass	- 14" Minimum Length Limit
Lincoln Park North Lagoon, Chicago Park District Cook County	All Fish	- 2 Pole and Line Fishing Only (1)
	Channel Catfish	- 6 Fish Daily Creel Limit
	Channel Catfish	- 6 Fish Daily Creel Limit
Lincoln Park South Lagoon, Chicago Park District Cook County	All Fish	- 2 Pole and Line Fishing Only (1)
	Channel Catfish	- 6 Fish Daily Creel Limit
	Channel Catfish	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Cook County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Lincoln Trail Lake, Lincoln Trail State Park
Clark County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)

Little Black Slough, Little Black Slough State Natural Area
Johnson County
All Fish
All Fish
- 2 Pole and Line Fishing Only (1)
- No Seines

Little Sister Lake, County of Fulton
Fulton County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
6 Fish Daily Creel Limit
12-15" Slot Length Limit (3)
3 Fish Daily Creel Limit

Little Vermilion River Basin - Special Management Zone (river mainstem and tributaries)
LaSalle County
Large or Smallmouth Bass
- Catch and Release Only Season
No Harvest May 1 through June 15 (9)

Lou Yeager Lake, City of Litchfield
Montgomery County
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 15" minimum Length Limit
- 3 Fish Daily Creel Limit

Loami Reservoir, City of Loami
Sangamon County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Lower Cache River, Lower Cache River State Natural Area
Pulaski/Johnson Counties
All Fish
All Fish
- 2 pole and Line Fishing Only (1)
- No Seines

Lyerla Lake, Union County Conservation Area
Union County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Mackinaw Ponds 1, 2, and 3, Mackinaw State Fish and Wildlife Area
Tazewell County
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Macon County Conservation District
Ponds, Macon County Conservation District
Macon County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Maple Lake, Cook County Forest Preserve District
Cook County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass
- 2 Pole and Line
Fishing Only (1)(16)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Marissa City Lake, City of Marissa
St. Clair County
Channel Catfish
- 6 Fish Daily Creel Limit

Marquette Park Lagoon, Chicago Park District
Cook County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Marshall County Conservation Area (Fishing Ditch), Marshall County Conservation Area (31)
Marshall County
All Fish
- 2 Pole and Line Fishing Only (1)

Marshall County Conservation Area - Sparland Unit (19)
Marshall County

Mascoutah Reservoir, City of Mascoutah
St. Clair County
All Fish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Massac County Fairgrounds Pond, State of Illinois
Massac County
Trout
- Fall Closed Season (10)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Trout
- Spring Closed Season (11)

Matthiessen Lake, Matthiessen State Park
LaSalle County

- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Mattoon Lake, City of Mattoon
Coles County

- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit

Mautiro Fish and Wildlife Area, Mautiro Fish and Wildlife Area

- - 2 Pole and Line Fishing Only
- (1) (34)
- 10 Fish Daily Creel Limit
- - 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Mauvaise Terre/Morgan Lake, City of Jacksonville
Morgan County

- 15" Minimum Length Limit

Mazonia Lakes & Ponds, Mazonia State Fish and Wildlife Area (33)
Grundv/Kankakee Counties

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit

McCullom Lake, City of McHenry
McHenry County

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

McKinley Park Lagoon, Chicago Park District
Cook County

- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Channel Catfish

McLeansboro City Lakes, City of McLeansboro
Hamilton County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

McMaster Lake and Small Ponds, Snakeden Hollow State Fish and Wildlife Area
 Knox County

- (All use other than waterfowl hunting prohibited from October 1 through the end of the Canada goose season)

- All Fish Daily Creel Limit (14)
 Bluegill or Rock Bass
 2 Pole and Line Fishing Only (14)
 10 Fish Daily Creel Limit
 Channel Catfish
 6 Fish Daily Creel Limit
 Large or Smallmouth Bass
 15¹/₂ Minimum Length Limit
 Large or Smallmouth Bass (14)
 3 Fish Daily Creel Limit
 Pure Muskellunge
 42¹/₂ Minimum Length Limit
 Walleye, Sauger, or Hybrid
 3 Fish Daily Creel Limit
 Walleye (14)
 White, Black, or Hybrid
 5 Fish Daily Creel Limit
 Crappie (15)

Meredosia Lake - Cass County Portion Only (meandered waters only) (33)
Cass County

Meredosia Lake - Cass County, Portion

Cass County (meandered waters only) All boat traffic is prohibited from operating on the meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes)

Mormot State Lake. Mermet Lake Conservation Area (35)

Massac County
All Fish

- | | | |
|---------------------------------|-----------------------------|--------------------------------|
| All Fish | (5) | - 2 Pole and Line Fishing Only |
| Bluegill or Redear Sunfish | - 8" Minimum Length Limit | |
| Bluegill or Redear Sunfish (14) | - 10 Fish Daily Creel Limit | |
| Channel Catfish | - 6 Fish Daily Creel Limit | |
| Large or Smallmouth Bass | - 14" Minimum Length Limit | |
| White, Black, or Hybrid | - 25 Fish Daily Creel Limit | |
| Crappie (15) | | |

Middle Fork Forest Preserve Ponds, Champaign County Forest Preserve
Champaign County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- All Fish**
- Bluegill or Redear Sunfish (14)
 - 25 Fish Daily Creel Limit
 - Channel Catfish
 - 6 Fish Daily Creel Limit
 - Large or Smallmouth Bass
 - 14" Minimum Length Limit
- Middle Fork of the Vermilion River, Kickapoo State Park and Middle Fork Fish and Wildlife Area**
- Vermilion County**
- All Fish
 - 2 Pole and Line Fishing Only (1)
- Middle Fork of the Vermilion River Basin - Special Management Zone (river mainstem and tributaries)**
- Vermilion/Champaign/Peoria Counties**
- Large or Smallmouth Bass
 - 14" Minimum Length Limit
 - Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)
- Mill Creek Lake, Clark County Park District**
- Clark County**
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)
 - 42" Minimum Length Limit
 - Pure Muskellunge
- Mill Pond, Pearl City Park District**
- Stephenson County**
- All Fish
 - Large or Smallmouth Bass
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Mill Race Ponds, Belvidere Park District**
- Boone County**
- Trout
 - Spring Closed Season (11)
- Miller Park Lake, City of Bloomington**
- McLean County**
- All Fish
 - Channel Catfish
 - Trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Spring Closed Season (11)
- Mineral Springs Park Lagoon, City of Pekin**
- Tazewell County**
- All Fish
 - Channel Catfish
 - Trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)
- Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (19)**

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Multiple Counties**
- Mississippi River (between IL & IA), State of Illinois**
- Multiple Counties**
- Large or Smallmouth Bass
 - Northern Pike
 - 5 Fish Daily Creel Limit
 - Walleye and Sauger (14)
 - 10 Fish Daily Creel Limit (24)
 - 15" Minimum Length Limit
 - 14" Minimum Length Limit
- Mississippi River (between IL & MO), State of Illinois**
- Multiple Counties**
- (Boating prohibited on refuge area (Ellis Bay) immediately upstream of Melvin Price Lock and Dam 26 overflow dike from October 15-April 15)
- (Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed)
- All Nongame Species Combined
- (Excludes endangered and threatened species and the following game species: Crappie, Channel Blue Flathead Catfish, Rock Bass, Warmouth, White Yellow Striped Hybrid Striped Bass, Trout, Large-mouth/Smallmouth/Spotted Bass, Muskellunge, Northern Pike, Chain Grass Pickerel, Walleye, Sauger, Paddlefish)
- Channel or Blue Catfish (14)**
- Channel Catfish**
- Pinehead Catfish**
- Largemouth, Smallmouth, or Spotted Bass**
- Northern Pike**
- Striped, White, or Hybrid Striped Bass (16)**
- Walleye and Sauger (14)**
- White, Black, or Hybrid Crappie (15)**
- 100 Total Fish Daily Creel Limit**
- 20 Fish Daily Creel Limit
 - 10 Fish Daily Creel Limit
 - 12" Minimum Length Limit
 - 1 Fish Daily Creel Limit
 - 30 Fish Daily Creel Limit - statewide regulation limiting daily creel to 3 fish 17" or longer is not in effect on the Mississippi River between Illinois and Missouri
 - 8 Fish Daily Creel Limit
 - 30 Fish Daily Creel Limit
- Monroe Reservoir, Will County Forest Preserve District**
- Will County**

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

All Fish
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
Large or Smallmouth Bass

Montrose Lake, City of Montrose
Cumberland County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass

Mt. Olive City Lakes, City of Mt. Olive
Macoupin County

All Fish
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass (14)

Mt. Olive (Old) Lake, City of Mt. Olive
Macoupin County

Large or Smallmouth Bass
Large or Smallmouth Bass (14)

Mt. Pulaaski Park District Lake, Mt. Pulaaski Park District
Logan County

All Fish
Large or Smallmouth Bass (14)

Mt. Sterling Lake, City of Mt. Sterling
Brown County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass

Mt. Vernon City Park Lake, City of Mt. Vernon
Jefferson County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm
Jefferson County

All Fish
Trout
Trout

Mundelein Park District Ponds, City of Mundelein
Lake County

All Fish
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Large or Smallmouth Bass

Nashville City Lake, City of Nashville
Washington County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass

Newton Lake, Newton Lake State Fish and Wildlife Area (41)
Jasper County

(The cold water arm of Newton Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)

All Fish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie

Norris City Reservoir, City of Norris City
White County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass

North Marcum Campground Pond, U.S. Army Corps of Engineers
Franklin County

Recreational Use Restrictions
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass

Oakford Conservation Area (Menard County) (19)
Menard County

Oakland City Lake, City Lake, City of Oakland
Coles County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Oblong Lake, City of Oblong
Crawford County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

Ohio River (between Illinois & Kentucky), State of Illinois

- Multiple Counties (19)
- Large or Smallmouth Bass
 - 12" Minimum Length Limit
 - No Length or Creel Limit
 - Northern Pike
 - 2 Fish Daily Creel Limit
 - Muskies or Tiger Muskies
 - 30" Minimum Length Limit
 - Walleye, Sauger, or Hybrid
 - 10 Fish Daily Creel Limit
 - Walleye (14)
 - White, Black, or Hybrid
 - 30 Fish Daily Creel Limit
 - Crappie (15)
 - Striped, White, Yellow or Hybrid
 - 30 Creel/4 Fish 15" or Longer
 - Dailly (32)

Ohio River-Smithland Pool Tributary Streams (in Pope/Hardin/Gallatin Counties, excluding Wabash River and Saline River Above Route 1 Bridge) (19)

- Multiple Counties
- Large and Smallmouth Bass
 - 12" Minimum Length Limit
- Olsen Lake, Rock Cut State Park
Winnebago County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass
 - 14" Minimum Length Limit
 - Large or Smallmouth Bass (14)
 - 1 Fish Daily Creel Limit

Omaha City Reservoir, City of Omaha

- Gallatin County
- All Fish
 - Channel Catfish
- Otter Lake, Otter Lake Water Commission
Macoupin County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Otter Lake, Otter Lake Water Commission
Macoupin County

- All Fish
- Channel Catfish
 - Large or Smallmouth Bass
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 10 Creel/3 Fish 17" or Longer Daily (17)
 - 48" Minimum Length Limit (40)
 - Pure Muskellunge

Palmyra-Modesto Water Commission Lake, Palmyra/Modesto Water Commission

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Macoupin County
All Fish

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

Pana Lake, City of Pana

- Shelby and Christian Counties
- All Fish
 - Bluegill or Redear Sunfish
 - 10 Fish Daily Creel Limit
 - Channel Catfish
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Paris East & West Lakes, City of Paris

- Edgar County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass
- Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area
St. Clair County
- All Fish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area
St. Clair County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid Crappie
- 9" Minimum Length Limit

Pekin Lake (19)

Tazewell County

Perry Farm Pond, Bourbonnais Park District

- Kankakee County
- All Fish
 - Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Piasa (19)

Madison/Jersey Counties

Pierce Lake, Rock Cut State Park
Winnebago County

- All Fish
- Bluegill or Redear Sunfish
- 8" Minimum Length Limit
- Bluegill or Redear Sunfish (14)
- 10 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Channel Catfish
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 48" Minimum Length Limit (40)
 Pure Muskellunge
 White, Black, or Hybrid
 Crappie (15)
 Pike County Conservation Area (19)
 Pike County
 Pickensville Lake, City of Pickensville
 Perry County
 Large or Smallmouth Bass
 - 18" Minimum Length Limit
 - 1 Fish Daily Creel Limit
 Large or Smallmouth Bass (14)
 Pine Creek
 Ogle County
 Trout
 - Spring Closed Season (11)
 Pine Creek (within the boundaries of White Pines Forest State Park)
 Ogle County
 All Fish
 Trout
 - 2 Pole and Line Fishing Only (1)
 - Spring Closed Season (11)

Pine Lake, Village of University Park

Will County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Piscasaw Creek

McHenry County
 Trout
 Trout
 - 9" Minimum Length Limit
 - Spring Closed Season (11)

Pittsfield City Lake, City of Pittsfield

Pike County
 All Fish
 Large or Smallmouth Bass
 Striped, White, or Hybrid
 Striped Bass
 Striped, White, or Hybrid
 Striped Bass (16)
 White, Black, or Hybrid
 Crappie
 - 2 Pole and Line Fishing Only (1)(7)
 - 14" Minimum Length Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 9" Minimum Length Limit

Pocahontas Park Pond, City of Pocahontas

Bond County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 Powerton Lake, Powerton Lake Fish and Wildlife Area (39)
 Tazewell County
 Powerton Lake shall be closed to boat traffic except for legal waterfowl hunters from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during the regular Canada goose and duck season)
 All Fish
 Channel or Blue Catfish (14)
 Large or Smallmouth Bass
 - 18" Minimum Length Limit
 Large or Smallmouth Bass (14)
 Striped, White, or Hybrid
 Striped Bass (16)
 Walleye, Sauger, or Hybrid
 Walleye (14)
 Walleye, Sauger, or Hybrid
 Walleye
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 18" Minimum Length Limit
 - 1 Fish Daily Creel Limit
 - 10 Creel/3 Fish 17" or Longer Daily (17)
 - 3 Fish Daily Creel Limit
 - 18" Minimum Length Limit

Prospect Pond, City of Moline

Rock Island County
 Trout
 - Fall Closed Season (10)

Pyramid State Park Lakes & Ponds, Pyramid State Park

Perry County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Ramsey Lake, Ramsey Lake State Park

Fayette County
 All Fish
 Bluegill or Redear Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass
 White, Black, or Hybrid
 Crappie (15)
 White, Black, or Hybrid
 Crappie
 - 2 Pole and Line Fishing Only (1)
 - 25 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 9" Minimum Length Limit

Ramsey Lake State Park Ponds, Ramsey Lake State Park

Fayette County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Randolph County Lake, Randolph County Conservation Area

Randolph County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Channel Catfish	- 6 Fish Daily Creel Limit
Route 154 Day Use Pond, State of Illinois	
Randolph County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Sahara Woods Fish and Wildlife Area, State of Illinois	
Saline County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid	- 15 Fish Daily Creel Limit
Crappie (15)	
St. Elmo South Lake, City of St. Elmo	
Wayne County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Salem Reservoir, City of Salem	
Marion County	
All Fish	- 2 Pole and Line Fishing Only (1)(5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Sam Dale Lake, Sam Dale Conservation Area	
Wayne County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Sam Dale Trout Pond, Sam Dale Conservation Area	
Wayne County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Sam Parr Lake, Sam Parr State Park	
Jasper County	
All Fish	- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Sand Lake, Illinois Beach State Park	
Lake County	
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Sandy Creek Basin - Special Management Zone (river mainstem and tributaries)	
Marshall County	
Large or Smallmouth Bass	- Catch and Release Only Season -
	No Harvest May 1 through
	June 15 (9)
Sanganosis Conservation Area (33)(42)	
Mason/Cass/Schuyler/Menard Counties	
Sangchris Lake, Sangchris Lake State Park	
Christian/Sangamon Counties	
(Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck season)	
All Fish	- 2 Pole and Line Fishing Only (1)
	(34)
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid	- 10 Fish Daily Creel Limit
Crappie (15)	
White, Black, or Hybrid	- 9" Minimum Length Limit
Crappie	
Sangchris Lake Park Ponds, Sangchris Lake State Park	
Sangamon County	
All Fish	- 2 Pole and Line Fishing Only (1)
Schiller Pond, Cook County Forest Preserve District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
	(36)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Schuy-Rush Lake, City of Rushville
Schuyler County
All Fish
Channel Catfish
White, Black, or Hybrid
Crappie
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 9" Minimum Length Limit
- Senior Citizen's Pond, Kankakee River State Park
Kankakee County
All Fish
Channel Catfish
Shabbona Lake, Shabbona Lake State Park
DeKalb County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
Pure Muskellunge
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
Walleye, Sauger, or Hybrid
Walleye
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)(7)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 48" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 10 Fish Daily Creel Limit
- Shawnee National Forest Lakes & Ponds less than 10 acres, U.S. Forest Service
Multiple Counties
All Fish
Channel Catfish
Largemouth, Smallmouth or
Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Shawnee National Forest - Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S. Forest Service
Forest Service
Pope County
All Fish
Channel Catfish
Largemouth, Smallmouth and
Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Shawnee National Forest - Dutchman Lake, U.S. Forest Service
Johnson County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Largemouth, Smallmouth or
Spotted Bass
- 15" Minimum Length Limit
- Shawnee National Forest - Lake Glendale, U.S. Forest Service
Pope County
All Fish
Channel Catfish
Largemouth, Smallmouth or
Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Shawnee National Forest - Little Cache #1, U.S. Forest Service
Johnson County
All Fish
Channel Catfish
Largemouth, Smallmouth or
Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Shawnee National Forest - Little Cedar Lake, U.S. Forest Service
Jackson County
All Fish
Largemouth, Smallmouth or
Channel Catfish
Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 6 Fish Daily Creel Limit
- Shawnee National Forest - One Horse Gap Lake, U.S. Forest Service
Pope County
All Fish
Channel Catfish
Largemouth, Smallmouth or
Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Shawnee National Forest - Pounds Hollow Lake, U.S. Forest Service
Callahan County
All Fish
Channel Catfish
Largemouth, Smallmouth or
Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Shawnee National Forest - Tecumseh Lake, U.S. Forest Service
Hardin County
All Fish
Channel Catfish
Largemouth, Smallmouth or
Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Shawnee National Forest - Turkey Bayou, U.S. Forest Service
Jackson County
All Fish
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Channel Catfish
Largemouth, Smallmouth or
Spotted Bass

- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Whoopie Cat Lake, U.S. Forest Service
Hardin County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Channel Catfish
Largemouth, Smallmouth or
Spotted Bass

Sherman Park Lagoon, Chicago Park District
Cook County

All Fish
Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Siloam Springs Lake, Siloam Springs State Park
Adams County

All Fish
Channel Catfish
Large or Smallmouth Bass
Trout
Trout

- 2 Pole and Line Fishing Only (1)(7)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- Fall Closed Season (10)
- Spring Closed Season (11)

Silver Lake, DuPage County Forest Preserve District
DuPage County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Spring Closed Season (11)

Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Fish and Wildlife Area
Randall County

All Fish
Channel Catfish
Large or Smallmouth Bass
Trout
Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Skokie Lagoons, Cook County Forest Preserve District
Cook County

All Fish
Large or Smallmouth Bass
Walleye

- 2 Pole and Line Fishing Only (1)
- 36" Minimum Length Limit
- 18" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Small Pit Pond, Boone County Conservation District
Boone County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Snakeden Hollow State Fish and Wildlife Area - McMaster Lake and Small Ponds,
State of Illinois
Knox County (see McMaster Lake and Small Ponds)

Sparta City Lakes, City of Sparta
Randolph County

All Fish
Channel Catfish
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Sparta "A" Lake, City of Sparta
Randolph County

All Fish
Bluegill or Redear Sunfish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie (15)

- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 15 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 9" Minimum Length Limit
- 10 Fish Daily Creel Limit

Spencer Lake, Boone County Conservation District
Boone County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Spring Lake, City of Macomb
McDonough County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)

- 2 Pole and Line Fishing Only (1) (5)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Spring Lakes (North & South), Spring Lake Conservation Area (33)

Tazewell County

- 2 Pole and Line Fishing Only (1)(7)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit
- 48" Minimum Length Limit (40)
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie

Spring Pond, Flagg-Rochelle Park District

Ogle County

- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Starved Rock State Park (19)

LaSalle County

Staunton City Lake, City of Staunton

Macoupin County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Stephen A. Forbes State Park (19)

Marion County

Sterling Lake, Lake County Forest Preserve District

Lake County

- 2 Pole & Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 49" Minimum Length Limit

Storm Lake, DeKalb Park District

DeKalb County

- 2 Pole and Line Fishing (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Stump Lake Wildlife Management Area (33)

Jersey County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Tampier Lake, Cook County Forest Preserve District

Cook County

- 2 Pole and Line Fishing Only (16)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 18" Minimum Length Limit
- Walleye

Tazewell Lake District Pond, Tazewell Lake District

Tazewell County

- 2 Pole and Line Fishing Only (1)

Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area

Hamilton/Jefferson Counties (19)

(Areas designated as refuge are closed to all access during the Canada goose season)

All Fish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Tilton City Lake, City of Tilton

Toledo County

Toledo Reservoir, City of Toledo

Toledo County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Turkey Bluff Ponds, State of Illinois Randolph County

All Fish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Turner Lake, Chain of Lakes, State Park

Lake County

All Fish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit

Tuscola City Lake, City of Tuscola

All Fish

- 2 pole and Line Fishing Only (1)
- 6 fish Daily Creel Limit
- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENTS

Union County Conservation Area

Union County
(All fishing and boat traffic prohibited October 15-March 1)

Valley Lake, Wildwood Park District

Lake County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Valmeyer Lake, City of Valmeyer

Monroe County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Vashorn Woods Pond, Plainfield Park District

Will County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Vermilion County

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Vernor Lake, City of Olney

Richland County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Channel Catfish

Large or Smallmouth Bass

Villa Grove East Lake, City of Villa Grove

Douglas County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Channel Catfish

Large or Smallmouth Bass

Villa Grove West Lake, City of Villa Grove

Douglas County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Fall Closed Season (10)

Channel Catfish

Large or Smallmouth Bass

Trout

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENTS

Virginia City Reservoir, City of Virginia

Cass County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

All Fish

Channel Catfish

Large or Smallmouth Bass

Waddams Creek

Stephenson County

Trout

- Spring Closed Season (11)

Walnut Point Lake, Walnut Point State Fish and Wildlife Area

Douglas County

- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)

Bluegill or Redear Sunfish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Walton Park Lake, City of Litchfield

Montgomery County

- 2 Pole and Line Fishing Only
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Bluegill or Redear Sunfish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Warrump Lake, Cook County Forest Preserve District

Cook County

- 2 Pole and Line Fishing Only (1)(3F)
- Catch and Release Only (a)
- 14" Minimum Length Limit

Bluegill or Redear Sunfish

Large or Smallmouth Bass

Washington County Lake, Washington County Forest and Park Area

Washington County

- 2 Pole and Line Fishing Only (5)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Channel Catfish

Large or Smallmouth Bass

Striped, White, or Hybrid

Striped Bass

Striped, White, or Hybrid

Striped Bass (16)

Washington Park Lagoon, Chicago Park District

Cook County

All Fish

- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Channel Catfish
- 6 Fish Daily Creel Limit
- Washington Park Pond, Springfield Park District
- Sangamon County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Channel Catfish
- Fall Closed Season (10)
 - Spring Closed Season (11)
- Trout
- Waverly Lake, City of Waverly
- Morgan County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Large or Smallmouth Bass
- Weinberg-King Pond, Weinberg-King State Park
- Schuyler County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Channel Catfish
- Weldon Springs Lake, Weldon Springs State Park
- DeWitt County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Large or Smallmouth Bass
- 1 Fish Daily Creel Limit
- West Frankfort New City Lake, City of West Frankfort
- Franklin County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Channel Catfish
- West Frankfort Old City Lake, City of West Frankfort
- Franklin County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Channel Catfish
- West Salem Reservoir, City of West Salem
- Edwards County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Channel Catfish
- White Hall City Lake, City of White Hall
- Greene County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Channel Catfish

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- White Oaks Lake, City of Bloomington
- McLean County
- 2 Pole and Line Fishing Only (1)
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Wilderness Pond, Fox Ridge State Park
- Coles County
- (Recreational Use Restrictions - Matefowl Refuge or Hunting Area (19))
- 2 Pole and Line Fishing Only (1)
 - 5 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 18" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- William W. Powers Conservation Area (33)
- Cook County
- Willow Lake, Peabody River King State Conservation Area
- St. Clair County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit
 - 9" Minimum Length Limit
 - Fall Closed Season (10)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- White, Black, or Hybrid
- Crapple
- White, Black, or Hybrid
- Crapple
- Trout
- Wolf Lake, William W. Powers Conservation Area (33)
- Cook County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass
- Woodford Co. Cons. Area (Fishing Ditch), Woodford County (33)
- Conservation Area
- Woodford County
- 2 Pole and Line Fishing Only (1)
- All Fish
- Woodlawn Pond, Frankfort Square Park District
- Will County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Wyman Lake, City of Sullivan
Moultrie County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Spring Closed Season (11)

Yellow Creek
Stephenson County
Trout

- Spring Closed Season (11)

(Source: Amended at 25 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: White-Tailed Deer Hunting by Use of Bow and Arrow
- 2) Code Citation: 17 Ill. Adm. Code 670
- 3) Section Numbers: Proposed Action:
670.20 Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].
- 5) A Complete Description of the Subjects and Issues Involved: The Department will sell non-resident deer permits by phone and at seven Department sites. The phone system will allow purchase of a permit before traveling to Illinois. The total number of non-resident permits will be limited for management purposes.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
670.21	Amendment	25 Ill. Reg. 1047, 1/26/01
670.55	Amendment	25 Ill. Reg. 1047, 1/26/01
670.60	Amendment	25 Ill. Reg. 1047, 1/26/01
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield IL 62701-1787
217/782-1809
- 12) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENTS

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 2000

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 670
WHITE-TAILED DEER HUNTING BY USE OF BOW AND ARROW

Section

- 670.10 Statewide Open Seasons and Counties
670.20 Statewide Deer Permit Requirements
670.21 Deer Permit Requirements - Landowner/Tenant Permits
670.30 Statewide Legal Bow and Arrow
670.40 Statewide Deer Hunting Rules
670.50 Rejection of Application/Revocation of Permits
670.55 Reporting Harvest
670.60 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.16 of the Wildlife Code [550 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.16].

SOURCE: Adopted at 5 Ill. Reg. 8888, effective August 25, 1981; codified at 5 Ill. Reg. 10641; emergency amendment at 5 Ill. Reg. 11402, effective October 14, 1981, for a maximum of 150 days; emergency expired March 13, 1982; amended at 6 Ill. Reg. 10721, effective August 20, 1982; emergency amendment at 6 Ill. Reg. 15581, effective December 14, 1982, for a maximum of 150 days; emergency expired May 13, 1983; amended at 7 Ill. Reg. 10790, effective August 24, 1983; amended at 8 Ill. Reg. 19004, effective September 26, 1984; amended at 9 Ill. Reg. 14317, effective September 9, 1985; amended at 10 Ill. Reg. 16658, effective September 22, 1986; amended at 11 Ill. Reg. 2275, effective January 20, 1987; amended at 12 Ill. Reg. 12042, effective July 11, 1988; amended at 13 Ill. Reg. 12839, effective July 21, 1989; amended at 14 Ill. Reg. 14787, effective September 4, 1990; amended at 14 Ill. Reg. 19859, effective December 3, 1990; amended at 15 Ill. Reg. 10021, effective June 24, 1991; amended at 15 Ill. Reg. 16691, effective October 31, 1991; amended at 16 Ill. Reg. 11116, effective June 30, 1992; amended at 17 Ill. Reg. 286, effective December 28, 1992; amended at 17 Ill. Reg. 13452, effective July 30, 1993; amended at 18 Ill. Reg. 5842, effective April 5, 1994; amended at 19 Ill. Reg. 7560, effective May 26, 1995; amended at 19 Ill. Reg. 15411, effective October 26, 1995; amended at 20 Ill. Reg. 6723, effective May 6, 1996; amended at 21 Ill. Reg. 3561, effective April 19, 1997; amended at 22 Ill. Reg. 7995, effective April 26, 1998; amended at 23 Ill. Reg. 6829, effective May 20, 1999; amended at 24 Ill. Reg. 6908, effective April 20, 2000; amended at 25 Ill. Reg. _____, effective _____.

Section 670.20 Statewide Deer Permit Requirements

- a) All archery deer hunters must have a current, valid Illinois archery

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

deer permit. Archery deer permits are available over-the-counter (OTC) from license vendors as combination permits, each consisting of one either-sex permit and one antlerless-only permit. The fee for resident archery combination permits shall be \$25; nonresident archery combination permits shall be \$120. A single either-sex archery deer permit will be available until September 1 of each year by mail only from the Permit Office. The fee for a resident archery single permit shall be \$15; a nonresident archery single permit shall be \$100. The permit will authorize the holder to hunt in any of the open counties of the State, on property where permission to hunt has been obtained from the property owner. For the single either-sex or landowner/tenant permit applications and other information, write to:

Department of Natural Resources
Archery Deer Permit Office
524 South Second Street, Room 210
P.O. Box 19227
Springfield, Illinois 62794-9227

- b) To obtain the single either-sex permit or a landowner/tenant permit, applicants must submit an application to the Permit Office using the official current Archery Deer Permit application form. Applications submitted on forms from previous years will be returned. Applicants must complete all portions of the permit application form. Incomplete applications and fees will be returned. Each applicant must submit a personal check or money order for his individual application. The resident combination archery deer permits are available from license vendors located throughout the State. The non-resident combination archery deer permits are available from license vendors at DNR offices in Chicago, Springfield, Sterling, Spring Grove, Champaign, Alton and Benton, as well as by telephone at 217/782-7305 until all are sold. The number of non-resident archery deer permits shall be limited based upon such factors as biological balance, numbers, health, recruitment and history. Successful non-resident applicants are limited to one archery combination permit or single either-sex permit per year. Hunters purchasing archery deer permits must supply all necessary applicant information to the license vendor in order to properly complete the permit.
- c) Beginning dates for acceptance of applications for the single either-sex permit will be announced publicly. Archery applications received after September 1 will be rejected and the fees returned.
- d) Permits are not transferable. Refunds will not be granted.
- e) A \$3.00 service fee will be charged for replacement permits issued by DNR, except that there will be no charge for permits lost in the mail. The procedures for obtaining a replacement license are detailed in 17 Ill. Adm. Code 2520-50. Monies from this source will be deposited in the Wildlife and Fish Fund.
- f) There is no limit to the number of combination archery deer permits

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

that an individual may purchase, but each individual is limited to one of the single either-sex permits per season.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

DEPARTMENT OF REVENUE
NOTICE OF PROPOSED AMENDMENTS

Proposed rulemaking: Persons who wish to submit comments on this proposed rulemaking may submit them in writing by no later than 45 days after publication of this notice to:

Gina Roccaforte
Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield, Illinois 62794
(217) 782-6996

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Construction contractors, real estate developers and speculative builders
 - B) Reporting, bookkeeping or other procedures required for compliance: Minimal
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2001

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF REVENUE
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Retailers' Occupation Tax
- 2) Code Citation: 86 Ill. Adm. Code 130
- 3) Section Numbers: Proposed Action:
130.2075 Amendment
- 4) Statutory Authority: 35 ILCS 120
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking amends the regulation pertaining to Sales to Construction Contractors, Real Estate Developers and Speculative Builders by deleting an incorrect example and adding a correct example illustrating how a construction contractor purchasing tangible personal property for conversion into real estate and for resale over-the-counter may certify to his vendor that he is buying all of such property for resale and thereafter account to the Department for the tax. In these situations, the construction contractor assumes the liability for reporting and paying State Retailers' Occupation Tax and local Retailers' Occupation Tax, if applicable, for the benefit of the entity in which the place of business at or from which the contractor handling the transaction is located, if such entity has adopted a local Retailers' Occupation Tax at the time when the contractor converts the tangible personal property in question into real estate.
- 6) Will this proposed amendment replace an emergency amendment currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes
- | Section Numbers | Proposed Action | IL Register Citation |
|-----------------|-----------------|------------------------------|
| 130.130 | Amendment | 05/26/00, 24 Ill. Reg. 7617 |
| 130.401 | Amendment | 12/29/00, 24 Ill. Reg. 19030 |
| 130.2105 | Amendment | 01/12/01, 25 Ill. Reg. 386 |
| 130.120 | Amendment | 01/26/01, 25 Ill. Reg. 1169 |
| 130.2011 | Amendment | 01/26/01, 25 Ill. Reg. 1169 |
| 130.2012 | Amendment | 01/26/01, 25 Ill. Reg. 1169 |
| 130.1501 | Amendment | 02/09/01, 25 Ill. Reg. 2325 |
| 130.2004 | New Section | 02/16/01, 25 Ill. Reg. 2676 |
- 10) Statement of Statewide Policy Objectives: This rulemaking does not create a State mandate, nor does it modify any existing State mandates.
- 11) Time, Place and Manner in which interested persons may comment on this

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 130

RETAILERS' OCCUPATION TAX

SUBPART A: NATURE OF TAX

Section	Character and Rate of Tax
130.101	Responsibility of Trustees, Receivers, Executors or Administrators
130.105	Occasional Sales
130.110	Sale of Used Motor Vehicles by Leasing or Rental Business
130.111	Habitual Sales
130.115	Nontaxable Transactions
130.120	

SUBPART B: SALE AT RETAIL

Section	The Test of a Sale at Retail
130.201	Sales for Transfer Incident to Service
130.205	Sales of Tangible Personal Property to Purchasers for Resale
130.210	Further Illustrations of Sales for Use or Consumption Versus Sales for Resale
130.215	
130.220	Sales to Lessors of Tangible Personal Property
130.225	Drop Shipments

SUBPART C: CERTAIN STATUTORY EXEMPTIONS

Section	Farm Machinery and Equipment
130.305	Food, Drugs, Medicines and Medical Appliances
130.310	Fuel Sold for Use in Vessels on Rivers Bordering Illinois
130.315	Gasoline
130.320	Fuel Used by Air Common Carriers in International Flights
130.321	Graphic Arts Machinery and Equipment Exemption
130.325	Manufacturing Machinery and Equipment
130.330	Manufacturer's Purchase Credit
130.331	Automatic Vending Machines That Dispense Hot Food or Beverages
130.332	Pollution Control Facilities
130.335	Rolling Stock
130.340	Oil Field Exploration, Drilling and Production Equipment
130.345	Coal Exploration, Mining, Off Highway Hauling, Processing, Maintenance and Reclamation Equipment
130.350	Aggregate Manufacturing
130.351	

SUBPART D: GROSS RECEIPTS

Section	
130.701	

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

Section

130.401	Meaning of Gross Receipts
130.405	How to Avoid Paying Tax on State or Local Tax Passed on to the Purchaser
130.410	Cost of Doing Business Not Deductible
130.415	Transportation and Delivery Charges
130.420	Finance or Interest Charges--Penalties--Discounts
130.425	Traded-in Property
130.430	Deposit or Prepayment on Purchase Price
130.435	State and Local Taxes Other Than Retailers' Occupation Tax
130.440	Penalties
130.445	Federal Taxes
130.450	Installation, Alteration and Special Service Charges
130.455	Motor Vehicle Leasing and Trade-In Allowances

SUBPART E: RETURNS

Section

130.501	Monthly Tax Returns--When Due--Contents
130.502	Quarterly Tax Returns
130.505	Returns and How to Prepare
130.510	Annual Tax Returns
130.515	First Return
130.520	Final Returns When Business is Discontinued
130.525	Who May Sign Returns
130.530	Returns Covering More Than One Location Under Same Registration--Separate Returns for Separately Registered Locations
130.535	Payment of the Tax, Including Quarter Monthly Payments in Certain Instances
130.540	Returns on a Transaction by Transaction Basis
130.545	Registrants Must File a Return for Every Return Period
130.550	Filing of Returns for Retailers by Suppliers Under Certain Circumstances
130.551	Prepayment of Retailers' Occupation Tax on Motor Fuel
130.555	Vending Machine Information Returns
130.560	Verification of Returns

SUBPART F: INTERSTATE COMMERCE

Section

130.601	Preliminary Comments
130.605	Sales of Property Originating in Illinois
130.610	Sales of Property Originating in Other States

SUBPART G: CERTIFICATE OF REGISTRATION

Section

130.701	General Information on Obtaining a Certificate of Registration
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DEPARTMENT OF REVENUE
NOTICE OF PROPOSED AMENDMENTS

130.705 Procedure in Disputed Cases Involving Financial Responsibility Requirements
130.710 Procedure When Security Must be Forfeited
130.715 Sub-Certificates of Registration
130.720 Separate Registrations for Different Places of Business of Same Taxpayer Under Some Circumstances
130.725 Display
130.730 Replacement of Certificate
130.735 Certificate Not Transferable
130.740 Certificate Required For Mobile Vending Units
130.745 Revocation of Certificate

SUBPART H: BOOKS AND RECORDS

Section
130.801 General Requirements
130.805 What Records Constitute Minimum Requirement
130.810 Records Required to Support Deductions
130.815 Preservation and Retention of Records
130.820 Preservation of Books During Pendency of Assessment Proceedings
130.825 Department Authorization to Destroy Records Sooner Than Would Otherwise be Permissible

SUBPART I: PENALTIES AND INTEREST

Section
130.901 Civil Penalties
130.905 Interest
130.910 Criminal Penalties

SUBPART J: BINDING OPINIONS

Section
130.1001 When Opinions from the Department are Binding

SUBPART K: SELLERS LOCATED ON, OR SHIPPING TO, FEDERAL AREAS

Section
130.1101 Definition of Federal Area
130.1105 When Deliveries on Federal Areas Are Taxable
130.1110 No Distinction Between Deliveries on Federal Areas and Illinois Deliveries Outside Federal Areas

SUBPART L: TIMELY MAILING TREATED AS TIMELY FILING AND PAYING

Section
130.1201 General Information
130.1205 Due Date that Falls on Saturday, Sunday or a Holiday

DEPARTMENT OF REVENUE
NOTICE OF PROPOSED AMENDMENTS

SUBPART M: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE

Section
130.1301 When Lessee of Premises Must File Return for Leased Department
130.1305 When Lessor of Premises Should File Return for Leased Department
130.1310 Meaning of "Lessor" and "Lessee" in this Regulation

SUBPART N: SALES FOR RESALE

Section
130.1401 Seller's Responsibility to Determine the Character of the Sale at the Time of the Sale
130.1405 Seller's Responsibility to Obtain Certificates of Resale and Requirements for Certificates of Resale
130.1410 Requirements for Certificates of Resale (Repealed)
130.1415 Resale Number--When Required and How Obtained
130.1420 Blanket Certificate of Resale (Repealed)

SUBPART O: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

Section
130.1501 Claims for Credit--Limitations--Procedure
130.1505 Disposition of Credit Memoranda by Holders Thereof
130.1510 Refunds
130.1515 Interest

SUBPART P: PROCEDURE TO BE FOLLOWED UPON SELLING OUT OR DISCONTINUING BUSINESS

Section
130.1601 When Returns are Required After a Business is Discontinued
130.1605 When Returns Are Not Required After Discontinuation of a Business
130.1610 Cross Reference to Bulk Sales Regulation

SUBPART Q: NOTICE OF SALES OF GOODS IN BULK

Section
130.1701 Bulk Sales: Notices of Sales of Business Assets

SUBPART R: POWER OF ATTORNEY

Section
130.1801 When Powers of Attorney May be Given
130.1805 Filing of Power of Attorney With Department
130.1810 Filing of Papers by Agent Under Power of Attorney

SUBPART S: SPECIFIC APPLICATIONS

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

Section	Addition Agents to Plating Baths
130.1901	Agricultural Products
130.1905	Antiques, Curios, Art Work, Collectors' Coins, Collectors' Postage
130.1910	Stamps and Like Articles
	Auctioneers and Agents
130.1915	Barbers and Beauty Shop Operators
130.1920	Blacksmiths
130.1925	Chiropradists, Osteopaths and Chiropractors
130.1930	Computer Software
130.1935	Construction Contractors and Real Estate Developers
130.1940	Co-operative Associations
130.1945	Dentists
130.1950	Enterprise Zones
130.1955	Sales of Building Materials to a High Impact Business
130.1960	Farm Chemicals
	Finance Companies and Other Lending Agencies -- Installment
	Contracts -- Bad Debts
130.1965	Florists and Nurserymen
130.1970	Hatcheries
130.1971	Sellers of Pets and the Like
130.1975	Operators of Games of Chance and Their Suppliers
130.1980	Optometrists and Opticians
130.1985	Pawnbrokers
130.1990	Peddlers, Hawkers and Itinerant Vendors
130.1995	Personalizing Tangible Personal Property
130.2000	Persons Engaged in the Printing, Graphic Arts or Related Occupations, and Their Suppliers
130.2005	Persons Engaged in Nonprofit Service Enterprises and in Similar Enterprises Operated As Businesses, and Suppliers of Such Persons
130.2006	Sales by Teacher-Sponsored Student Organizations
130.2007	Exemption Identification Numbers
130.2008	Sales by Nonprofit Service Enterprises
130.2009	Personal Property Purchased Through Certain Fundraising Events for the Benefit of Certain Schools
130.2010	Persons Who Rent or Lease the Use of Tangible Personal Property to Others
130.2011	Sales to Persons Who Lease Tangible Personal Property to Exempt Hospitals
130.2012	Sales to Persons Who Lease Tangible Personal Property to Governmental Bodies
130.2015	Persons Who Repair or Otherwise Service Tangible Personal Property
130.2020	Physicians and Surgeons
130.2025	Picture-Framers
130.2030	Public Amusement Places
130.2035	Registered Pharmacists and Druggists
130.2040	Retailers of Clothing
130.2045	Retailers on Premises of the Illinois State Fair, County Fairs, Art

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

130.2050	Shows, Flea Markets and the Like
130.2055	Sales and Gifts by Employers to Employees
130.2060	Sales by Governmental Bodies
130.2065	Sales of Alcoholic Beverages, Motor Fuel and Tobacco Products
130.2070	Sales of Automobiles for Use in Demonstration (Repaired)
	Sales of Containers, Wrapping and Packing Materials and Related Products
130.2075	Sales To Construction Contractors, Real Estate Developers and Speculative Builders
130.2080	Sales to Governmental Bodies, Foreign Diplomats and Consular Personnel
130.2085	Sales to or by Banks, Savings and Loan Associations and Credit Unions
130.2090	Sales to Railroad Companies
130.2095	Sellers of Gasohol, Coal, Coke, Fuel Oil and Other Combustibles
130.2100	Sellers of Feeds and Breeding Livestock
130.2105	Sellers of Newspapers, Magazines, Books, Sheet Music and Phonograph Records and Their Suppliers
130.2110	Sellers of Seeds and Fertilizer
130.2115	Sellers of Machinery, Tools and Special Order Items
130.2120	Suppliers of Persons Engaged in Service Occupations and Professions
130.2125	Trading Stamps and Discount Coupons
130.2130	Undertakers and Funeral Directors
130.2135	Vending Machines
130.2140	Vendors of Curtains, Slip Covers, Floor Covering and Other Similar Items Made to Order
130.2145	Vendors of Meals
130.2150	Vendors of Memorial Stones and Monuments
130.2155	Vendors of Signs
130.2156	Vendors of Steam
130.2160	Vendors of Tangible Personal Property Employed for Premiums, Advertising, Prizes, Etc.
130.2165	Veterinarians
130.2170	Warehousemen

ILLUSTRATION A Examples of Tax Exemption Cards

AUTHORITY: Implementing the Illinois Retailers' Occupation Tax Act [35 ILCS 120] and authorized by Section 2505-25 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-25].

SOURCE: Adopted July 1, 1933; amended at 2 Ill. Reg. 56, p. 71, effective December 10, 1978; amended at 3 Ill. Reg. 12, p. 4, effective March 19, 1979; amended at 3 Ill. Reg. 13, pp. 93 and 95, effective March 25, 1979; amended at 3 Ill. Reg. 23, p. 164, effective June 3, 1979; amended at 3 Ill. Reg. 25, p. 229, effective June 17, 1979; amended at 3 Ill. Reg. 44, p. 193, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 52, effective November 2, 1979; amended at 4 Ill. Reg. 24, pp. 520, 539, 564 and 571, effective June 1, 1980;

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

amended at 5 Ill. Reg. 818, effective January 2, 1981; amended at 5 Ill. Reg. 3014, effective March 11, 1981; amended at 5 Ill. Reg. 12782, effective November 2, 1981; amended at 6 Ill. Reg. 2860, effective March 3, 1982; amended at 6 Ill. Reg. 6780, effective May 24, 1982; codified at 6 Ill. Reg. 8229; recodified at 6 Ill. Reg. 8999; amended at 6 Ill. Reg. 15225, effective December 3, 1982; amended at 7 Ill. Reg. 7990, effective June 15, 1983; amended at 8 Ill. Reg. 5319, effective April 11, 1984; amended at 8 Ill. Reg. 13062, effective September 26, 1984; amended at 10 Ill. Reg. 1937, effective January 10, 1986; amended at 10 Ill. Reg. 12067, effective July 1, 1986; amended at 10 Ill. Reg. 19538, effective November 5, 1986; amended at 10 Ill. Reg. 19772, effective November 5, 1986; amended at 11 Ill. Reg. 4325, effective March 2, 1987; amended at 11 Ill. Reg. 6252, effective March 20, 1987; amended at 11 Ill. Reg. 18284, effective October 27, 1987; amended at 11 Ill. Reg. 18767, effective October 28, 1987; amended at 11 Ill. Reg. 19138, effective October 29, 1987; amended at 11 Ill. Reg. 19696, effective November 23, 1987; amended at 12 Ill. Reg. 5652, effective March 15, 1988; emergency amendment at 12 Ill. Reg. 14401, effective September 1, 1988, for a maximum of 150 days, modified in response to an objection of the Joint Committee on Administrative Rules at 12 Ill. Reg. 19531, effective November 4, 1988, not to exceed the 150 day time limit of the original rulemaking; emergency expired January 29, 1989; amended at 13 Ill. Reg. 11824, effective June 29, 1989; amended at 14 Ill. Reg. 241, effective December 21, 1989; amended at 14 Ill. Reg. 872, effective January 1, 1990; amended at 14 Ill. Reg. 15463, effective September 10, 1990; amended at 14 Ill. Reg. 16028, effective September 18, 1990; amended at 15 Ill. Reg. 6621, effective April 17, 1991; amended at 15 Ill. Reg. 13542, effective August 30, 1991; amended at 15 Ill. Reg. 15757, effective October 15, 1991; amended at 15 Ill. Reg. 1642, effective January 13, 1992; amended at 17 Ill. Reg. 18142, effective October 4, 1993; amended at 17 Ill. Reg. 19631, effective November 2, 1993; amended at 18 Ill. Reg. 1337, effective January 13, 1994; amended at 18 Ill. Reg. 16866, effective November 7, 1994; amended at 19 Ill. Reg. 13446, effective September 12, 1995; amended at 19 Ill. Reg. 13568, effective September 18, 1995; amended at 20 Ill. Reg. 13968, effective September 18, 1995; amended at 20 Ill. Reg. 4428, effective March 4, 1996; amended at 20 Ill. Reg. 5366, effective March 26, 1996; amended at 20 Ill. Reg. 6991, effective May 7, 1996; amended at 20 Ill. Reg. 9116, effective July 2, 1996; amended at 20 Ill. Reg. 15753, effective December 2, 1996; expedited correction at 21 Ill. Reg. 4052, effective December 2, 1996; amended at 20 Ill. Reg. 16200, effective December 16, 1996; amended at 21 Ill. Reg. 12211, effective August 26, 1997; amended at 22 Ill. Reg. 3097, effective January 27, 1998; amended at 22 Ill. Reg. 11874, effective June 29, 1998; amended at 22 Ill. Reg. 19919, effective October 28, 1998; amended at 22 Ill. Reg. 21642, effective November 25, 1998; amended at 23 Ill. Reg. 9526, effective July 29, 1999; amended at 23 Ill. Reg. 9898, effective August 9, 1999; amended at 24 Ill. Reg. 10713, effective July 7, 2000; emergency amendment at 24 Ill. Reg. 11313, effective July 12, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15104, effective October 2, 2000; amended at 24 Ill. Reg. 18376, effective December 1, 2000; amended at 25 Ill. Reg. 941, effective January 8, 2001; emergency amendment at 25 Ill. Reg. 1792,

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

effective January 16, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 4674, effective March 15, 2001; amended at 25 Ill. Reg. 4950, effective March 15, 2001; amended at 25 Ill. Reg. 5398, effective April 2, 2001; amended at 25 Ill. Reg. _____, effective _____.

SUBPART 8: SPECIFIC APPLICATIONS

Section 130.2075 Sales To Construction Contractors, Real Estate Developers and Speculative Builders

- a) Sales to Construction Contractors, Real Estate Developers and Speculative Builders—When Taxable and When Not Taxable
 - 1) Persons who engage in selling tools, equipment, fuel, supplies, and other tangible personal property to construction contractors, and real estate developers or speculative builders for use or consumption incur Retailers' Occupation Tax liability when making such sales. Also, persons who (apart from acting as construction contractors themselves) engage in selling building materials, fixtures, plants and other tangible personal property to construction contractors, speculative builders or real estate developers, who convert such items into real estate so as to take such items off the market as tangible personal property, incur Retailers' Occupation Tax liability when making such sales.
 - 2) When the purchasing construction contractor (whether he is the prime contractor or the subcontractor) buys the item that he will convert into real estate in finished form, the tax base is what such construction contractor pays for the item. When the construction contractor-installer (whether he is the prime contractor or a subcontractor) is also the manufacturer of the finished item that he will incorporate into real estate for his customer, the tax base is what such construction contractor pays for the materials that he incorporates into such finished item, plus whatever such construction contractor may pay for nails, screws or other items of tangible personal property that he buys and incorporates into real estate for his customer in the course of making the installation of the finished item.
 - 3) For information as to who qualifies as a construction contractor, see Section 130.1940(a) and (c) of this Part.
 - 4) Sales of tangible personal property to construction contractors, real estate developers or speculative builders who resell such property in the form of tangible personal property, real estate taxable sales, but the construction contractor, real estate developer or speculative builder would be making taxable resales in this situation (see Section 130.1940(b) and (c) of this Part).
- b) When and How Purchasing Contractor May Certify that He Will Assume Accountability for the Tax-Effect of Such Certification
 - 1) When the purchaser of tangible personal property may use such

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

property by converting it into real estate, but may resell such property "over-the-counter" apart from acting as a construction contractor, and where it is impracticable, at the time of purchasing such tangible personal property, for such purchaser to determine in which way he will dispose of the property, such purchaser may certify to his vendor that he is buying all of such tangible personal property for resale and thereafter account to the Department for the tax on disposing of such property.

2) The purchaser may not give such certification to his supplier unless the purchaser, if he will convert the tangible personal property into real estate in this State, agrees to, and does, assume the liability for reporting and paying the tax to the Department in the same form (Illinois Retailers' Occupation Tax, and local Retailers' Occupation Tax if applicable) in which the supplier would have reported and paid such tax if the supplier had accounted for the tax to the Department. This means that if the purchaser uses the tangible personal property by converting it into real estate in this State in any manner, he must include the cost price of such tangible personal property in his reported taxable receipts in his return form to the Department and must pay the State Retailers' Occupation Tax along with any other applicable Retailers' Occupation Taxes (not the Use Tax, but the Retailers' Occupation Tax) thereon to the Department, and must pay the Home Rule Municipal or County Retailers' Occupation Tax thereon, if applicable. ~~For example, a contractor who also sells "over-the-counter" gives this certification when he buys dry-wall from a supplier located in Springfield, Illinois. Subsequent to the purchase the contractor incorporates some of the dry-wall into real-estate on a job--the contractor must account for the tax by paying the State-Retailers' Occupation Tax--and--the Springfield--Home-Rule-Municipal-Retailers' Occupation Tax--on his return--by including the cost-price-of-the-dry-wall--converted-to-real-estate-in-his-taxable-receipts.~~

3) The local Retailers' Occupation Tax to be paid by the contractor or builder in this situation shall be paid for the benefit of the entity in which the place of business at or from which the contractor or builder handles the transaction is located, if such entity has adopted the local Retailers' Occupation Tax at the time when the contractor or builder converts the tangible personal property in question into real estate. For example, a contractor who is registered at a location in Springfield, Illinois, and who also sells "over-the-counter" gives the Certification described in subsection (b)(2) of this Section when he buys dry wall from a supplier located in Champaign, Illinois. Subsequent to the purchase, the contractor incorporates some of the dry wall into real estate on a job. The contractor must account for the tax by paying the State Retailer's Occupation Tax and the Springfield Home Rule Municipal Retailers' Occupation Tax

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

on his return by including the cost price of the dry wall converted to real estate in his taxable receipts.

4) Such purchaser, who assumes the responsibility for accounting for the tax, must pay State Retailers' Occupation Tax (plus local Retailers' Occupation Tax, if applicable) on the full selling price of the tangible personal property if he resells the property "over-the-counter" to a user (including a construction contractor) apart from acting as a construction contractor himself.

5) A purchaser of this type would have to be registered with this Department under the Retailers' Occupation Tax Act since he would be incurring some Retailers' Occupation Tax liability, so he would be required to furnish his vendor with his Retailers' Occupation Tax registration number in the certification referred to in subsection (b)(1) of this Section.

6) The tax involved in this Section is State Retailers' Occupation Tax and Use Tax and local Retailers' Occupation Tax, but not State or local Service Occupation Tax or Service Use Tax.

7) Purchasing contractors may not give this certification to make purchases from out-of-enterprise zone (see Section 130.1951 of this Part) retailers with resale certificates and then claim they are retailers entitled to claim the enterprise zone exemption to avoid the tax on sales of building materials.

c) Use Tax on Out-of-State Purchases
Tangible personal property bought outside this State either by Illinois or out-of-State construction contractors or builders in such a way that the seller does not incur Retailers' Occupation Tax liability and used in this State for building purposes is subject to the Use Tax. If the purchaser buys such tangible personal property from an out-of-State seller who is registered with the Department as a Use Tax collector, the purchaser should pay the Use Tax to such seller unless the purchaser is also a retailer and elects to assume responsibility for accounting for all the tax on such materials. If the purchaser buys such materials outside Illinois from an unregistered seller, the purchaser should pay the Use Tax directly to this Department. No local Retailers' Occupation Tax is applicable in this situation.

d) Sales of Materials to Construction Contractors Acting for Exclusively Charitable, Religious or Educational Organizations or Institutions, or for Governmental Bodies

1) Sales of materials to construction contractors for incorporation into real estate owned by exclusively charitable, religious or educational institutions or organizations, or any not-for-profit corporation, society, association, foundation, institution or organization which has no compensated officers or employees and which is organized and operated primarily for the recreation of persons 55 years of age or older, or for incorporation into real estate owned by governmental bodies, are exempt from Retailers'

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

Occupation Tax and Use Tax. The intent of the Legislature was to relieve the above-designated kinds of purchasers from the burden of tax on their purchases whether the purchases are made directly or indirectly by these organizations. Therefore, the exemption applies to their indirect purchase of building materials.

2) However, effective March 17, 1965, this exemption does not extend to sales of materials to construction contractors for incorporation into real estate owned by a national bank, a State-chartered bank or a Federally or State-chartered savings and loan association (see Section 130.2085 of this Part). Sales of materials to, and purchases of materials by, such construction contractors are taxable sales and purchases.

3) Also, sales of tools, fuel, lumber for forms and other end use or consumption items to construction contractors who do not incorporate these items into real estate are taxable sales regardless of who the contractor's customer may be, and this has been true since the beginning of the Act.

4) A supplier claiming exemption hereunder shall have among his records a certification from the purchasing contractor stating that his purchases are for conversion into real estate under a contract with a church, charity, school or governmental body, identifying the church, charity, school or governmental body, is involved by name and address and stating on what date his contract was entered into. The supplier shall also have among his records the active exemption number issued by the Department to the organization for which the purchasing contractor is acting.

e) Sales of Materials to Construction Contractors for Incorporation into Public Improvements Which are Required to be Transferred to a Unit of Local Government Upon Completion

For the same reason stated in subsection (d) of this Section, sales to construction contractors of materials which will be physically incorporated into public improvements, the ownership of which is required to be conveyed to a unit of local government pursuant to a pre-development transfer requirement are exempt from Retailers' Occupation Tax and Use Tax. The supplier shall have among his records the active registration number issued by the Department to the governmental unit to which the public improvements will be transferred upon completion. The pre-development transfer requirement may take the following forms:

1) Where language in the local governmental unit's subdivision ordinance explicitly requires that title to public improvements be transferred to the local governmental unit upon completion, the pre-development transfer requirement is satisfied as to all public improvements (such as roads and streets, sidewalks, sanitary sewer systems and storm water drainage systems) actually required to be transferred under the terms of that ordinance;

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

2) Where language in a pre-development agreement between the local governmental unit and a developer explicitly requires that title to public improvements be transferred to the local governmental unit upon completion, the pre-development transfer requirement is satisfied as to all public improvements actually required to be transferred under the terms of that pre-development agreement.

3) Where a plat of subdivision, formally approved by a municipality, has been recorded with the County Recorder of Deeds and where that recorded plat contains a public dedication of improvements, the pre-development transfer requirement is satisfied as to roads and streets located within the corporate limits of the approving municipality and any other improvements located within the corporate limits which are dedicated on the plat to the public use and for no other purpose.

4) Where a plat of subdivision, formally approved by a county with fewer than 500,000 inhabitants which has established regulations regarding location, width and course of roads and streets, has been recorded with the County Recorder of Deeds and where that recorded plat contains a public dedication of roads and streets located in the unincorporated area of the approving county, the pre-development transfer requirement is satisfied as to those public roads and streets. In this context, only grading and surface materials which actually become part of the roadbed and materials incorporated into curbs and gutters qualify for the exemption. Other items such as catchbasins, drainage pipe or materials incorporated into sidewalks do not qualify for the exemption.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Use Tax

2) Code Citation: 86 Ill. Adm. Code 150

3) Section Numbers: Proposed Action:
150.306 Amendment

4) Statutory Authority: 35 ILCS 105

5) A Complete Description of the Subjects and Issues Involved: This rulemaking provides that the leasing of motor vehicles by motor vehicle dealers is within the interim use exemption if such leased motor vehicles are carried as inventory on the books of the dealers or are otherwise available for sale during the lease period. This rulemaking codifies numerous letter rulings, including ST 99-0277-GIL and ST 00-0004-PFR, which relate to a situation commonly encountered among auto dealers. This rulemaking also provides that the leasing of motor vehicles by automobile manufacturers to their employees is within the interim use exemption if such leased motor vehicles are carried as inventory on the books of the manufacturers or are otherwise available for sale during the lease period.

6) Will this proposed amendment replace an emergency amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	IL Register Citation
150.331	Amendment	25 Ill. Reg. 1171, 01/26/01
150.332	Amendment	25 Ill. Reg. 1171, 01/26/01
150.705	Amendment	25 Ill. Reg. 1988, 02/02/01

10) Statement of Statewide Policy Objectives: This rulemaking does not create a State mandate, nor does it modify any existing State mandates.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rulemaking may submit them in writing by no later than 45 days after publication of this notice to:

Gina Roccaforte
Associate Counsel
Illinois Department of Revenue
Legal Services Office
101 West Jefferson

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

Springfield, Illinois 62794
(217) 782-6996

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: Motor vehicle dealers and manufacturers

B) Reporting, bookkeeping or other procedures required for compliance: Minimal

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 2001

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

TITLE 86: REVENUE
CHAPTER 1: DEPARTMENT OF REVENUEPART 150
USE TAX

SUBPART A: NATURE OF THE TAX

Section

150.101 Description of the Tax
150.105 Rate and Base of Tax
150.110 How To Compute Depreciation
150.115 How to Determine Effective Date
150.120 Effective Date of New Taxes
150.125 Relation of Use Tax to Retailers' Occupation Tax
150.130 Accounting for the Tax
150.135 How to Avoid Paying Tax on Use Tax Collected From the Purchaser

SUBPART B: DEFINITIONS

Section

150.201 General Definitions

SUBPART C: KINDS OF USES AND USERS NOT TAXED

Section
150.301 Cross References
150.305 Effect of Limitation that Purchase Must be at Retail From a Retailer to be Taxable
150.306 Interim Use and Demonstration Exemptions
150.310 Exemptions to Avoid Multi-State Taxation
150.315 Non-resident Exemptions
150.320 Meaning of "Acquired Outside This State"
150.325 Charitable, Religious, Educational and Senior Citizens Recreational Organizations as Buyers
150.330 Governmental Bodies as Buyers
150.331 Persons Who Lease Tangible Personal Property to Exempt Hospitals
150.332 Persons Who Lease Tangible Personal Property to Governmental Bodies
150.335 Game or Game Birds Purchased at Game Breeding and Hunting Areas or Exotic Game Hunting Areas
150.336 Fuel Brought into Illinois in Locomotives
150.337 Food, Drugs, Medicines and Medical Appliances When Purchased for Use by a Person Receiving Medical Assistance under the Illinois Public Aid Code

SUBPART D: COLLECTION OF THE USE TAX FROM USERS BY RETAILERS

Section

150.730

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

Collection of the Tax by Retailers From Users

150.401 Tax Collection Brackets
150.405 Tax Collection Brackets for a 2-1/4% Rate of Tax (Repealed)
150.410 Tax Collection Brackets for a 2-1/2% Rate of Tax (Repealed)
150.415 Tax Collection Brackets for a 2-3/4% Rate of Tax (Repealed)
150.420 Tax Collection Brackets for a 3% Rate of Tax (Repealed)
150.425 Tax Collection Brackets for a 3-1/8% Rate of Tax (Repealed)
150.430 Tax Collection Brackets for a 3-1/4% Rate of Tax (Repealed)
150.435 Tax Collection Brackets for a 3-1/2% Rate of Tax (Repealed)
150.440 Tax Collection Brackets for a 3-3/4% Rate of Tax (Repealed)
150.445 Tax Collection Brackets for a 4% Rate of Tax (Repealed)
150.450 Tax Collection Brackets for a 4-1/8% Rate of Tax (Repealed)
150.455 Tax Collection Brackets for a 4-1/4% Rate of Tax (Repealed)
150.460 Tax Collection Brackets for a 4-1/2% Rate of Tax (Repealed)
150.465 Tax Collection Brackets for a 4-3/4% Rate of Tax (Repealed)
150.470 Tax Collection Brackets for a 5% Rate of Tax (Repealed)
150.475 Tax Collection Brackets for a 5-1/4% Rate of Tax (Repealed)
150.480 Tax Collection Brackets for a 5-1/8% Rate of Tax (Repealed)
150.485 Tax Collection Brackets for a 5-1/4% Rate of Tax (Repealed)
150.490 Tax Collection Brackets for a 5-1/2% Rate of Tax (Repealed)
150.495 Tax Collection Brackets for a 5-3/4% Rate of Tax (Repealed)
150.500 Tax Collection Brackets for a 6% Rate of Tax (Repealed)
150.505 Optional 1% Schedule (Repealed)
150.510 Exact Collection of Tax Required When Practicable
150.515 Prohibition Against Retailer's Representing That he Will Absorb The Tax

150.520 Display of Tax Collection Schedule (Repealed)
150.525 Methods for Calculating Tax on Sales of Items Subject to Differing Tax Rates

SUBPART E: RECEIPT FOR THE TAX

Section

150.601

Requirements

SUBPART F: SPECIAL INFORMATION FOR TAXABLE USERS

Section

150.701 When and Where to File a Return
150.705 Use Tax on Items that are Titled or Registered in Illinois
150.710 Procedure in Claiming Exemption from Use Tax
150.715 Receipt for Tax or Proof of Exemption Must Accompany Application for Title or Registration
150.716 Display Certificates for House Trailers
150.720 Issuance of Title or Registration Where Retailer Fails or Refuses to Remit Tax Collected by Retailer from User
150.725 Direct Payment of Tax by User to Department on Intrastate Purchase Under Certain Circumstances
150.730 Direct Reporting of Use Tax to Department by Registered Retailers

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

SUBPART G: REGISTRATION OF OUT-OF-STATE RETAILERS

Section
150.801 When Out-of-State Retailers Must Register and Collect Use Tax
150.905 Voluntary Registration by Certain Out-of-State Retailers
150.910 Incorporation by Reference
150.810

SUBPART H: RETAILERS' RETURNS

Section
150.901 When and Where to File
150.905 Deduction for Collecting Tax
150.910 Incorporation by Reference
150.915 Itemization of Receipts from Sales and the Tax Among the Different States from Which Sales are Made into Illinois

SUBPART I: PENALTIES, INTEREST, STATUTE OF LIMITATIONS AND ADMINISTRATIVE PROCEDURES

Section
150.1001 General Information

SUBPART J: TRADED-IN PROPERTY

Section
150.1101 General Information

SUBPART K: INCORPORATION OF ILLINOIS RETAILERS' OCCUPATION TAX REGULATIONS BY REFERENCE

Section
150.1201 General Information

SUBPART L: BOOKS AND RECORDS

Section
150.1301 Users' Records
150.1305 Retailers' Records
150.1310 Use of Signs to Prove Collection of Tax as a Separate Item
150.1315 Consequence of Not Complying with Requirement of Collecting Use Tax Separately From the Selling Price
150.1320 Incorporation by Reference

SUBPART M: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

Section
150.1401 Claims for Credit--Limitations--Procedure
150.1405 Disposition of Credit Memoranda by Holders Thereof

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

150.1410 Refunds
150.1415 Interest

TABLE A Tax Collection Brackets

AUTHORITY: Implementing the Use Tax Act [35 ILCS 105] and authorized by Section 2505-90 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-90].

SOURCE: Adopted August 1, 1955; amended at 4 Ill. Reg. 24, p. 553, effective June 1, 1980; amended at 5 Ill. Reg. 5351, effective April 30, 1981; amended at 5 Ill. Reg. 11072, effective October 6, 1981; codified at 6 Ill. Reg. 9326; amended at 8 Ill. Reg. 3704, effective March 12, 1984; amended at 8 Ill. Reg. 7278, effective May 11, 1984; amended at 8 Ill. Reg. 8623, effective June 5, 1984; amended at 11 Ill. Reg. 6275, effective March 20, 1987; amended at 14 Ill. Reg. 6835, effective April 19, 1990; amended at 15 Ill. Reg. 5861, effective April 5, 1991; emergency amendment at 16 Ill. Reg. 14889, effective September 9, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 1947, effective February 2, 1993; amended at 18 Ill. Reg. 1584, effective January 13, 1994; amended at 20 Ill. Reg. 7019, effective May 7, 1996; amended at 20 Ill. Reg. 16224, effective December 16, 1996; amended at 22 Ill. Reg. 21670, effective November 25, 1998; amended at 24 Ill. Reg. 10728, effective July 7, 2000; amended at 25 Ill. Reg. 953, effective January 8, 2001; emergency amendment at 25 Ill. Reg. 1821, effective January 16, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 5059, effective March 23, 2001; amended at 25 Ill. Reg. _____, effective _____.

SUBPART C: KINDS OF USES AND USERS NOT TAXED

Section 150.306 Interim Use and Demonstration Exemptions

a) Interim Use Exemption

- 1) Except as provided in subsection (c) of this Section, tangible personal property purchased by a retailer for resale, and used by the retailer or his agents prior to its ultimate sale at retail, is exempt from Use Tax, provided that the tangible personal property is carried as inventory on the books of the retailer or is otherwise available for sale during the interim use period.
- 2) Except as limited in subsection (c), the leasing of tangible personal property by persons who are primarily engaged in the business of selling such property at retail is within the interim use exemption if such property is carried as inventory on the books of the retailer or is otherwise available for sale during the lease period. Except as to motor vehicles described in subsection (a)(4), the interim use exemption is not available to persons who purchase tangible personal property with the intent to engage in the business of leasing such property and who sell such property only as an incident to their leasing activity.

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

Persons who are primarily engaged in the business of leasing automobiles may not claim an interim use exemption when purchasing automobiles for use in their business even though such users are subject to retailer's Occupation Tax on the sale of used automobiles pursuant to 35 ILCS 120/2(c). Motor vehicles of the first division as defined in Section 1-146 of the Illinois Vehicle Code [625 ILCS 5/1-146(f)] are exempt from use tax if the vehicles purchased are to be rented under lease terms of one year or less. (See 35 ILCS 105/2-3(10)?.)

3) In determining whether a taxpayer is "primarily" a retailer, the Department will examine only the activities of his Illinois corporation. In addition, the Department will examine the activities of divisions of a corporate entity that are not separately registered with the Department. If divisions of a corporate entity are separately registered, however, their activities will not be examined in making this determination.

4) The leasing of motor vehicles by motor vehicle dealers is within the interim use exemption if the leased motor vehicles are carried as inventory on the books of the dealers or are otherwise available for sale during the lease period. For example, many times motor vehicle dealers enter into leases of motor vehicles with lessees and simultaneously sell both those motor vehicles and leases to third parties. If a motor vehicle dealer enters into a lease of a motor vehicle with a lessee and simultaneously sells that motor vehicle to a third party, the interim use exemption is available to the dealer in regard to the purchase of the motor vehicle when it was purchased by the dealer for lease. Provided that the motor vehicle is carried as inventory on the books of the dealer or is otherwise available for sale during the lease period. However, the dealer's sale of the motor vehicle, with or without the lease, to the third party is taxable and the third party incurs a Use Tax liability.

5) The leasing of motor vehicles by automobile manufacturers to their employees is within the interim use exemption if the leased motor vehicles are carried as inventory on the books of the manufacturers or are otherwise available for sale during the lease period.

b) Demonstration Use Exemption

1) Except as provided in subsection (c), tangible personal property purchased for resale and used by its owner for demonstration purposes is not subject to Use Tax.

2) The leasing of tangible personal property by a retailer to prospective buyers for the purpose of allowing them to ascertain whether or not the property suits their particular needs and for the purpose of attempting to induce them to buy such property is a use for demonstration purposes, except as provided in subsection (c).

3) The demonstration use exemption may not be claimed for tangible

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

personal property purchased for resale which is consumed or destroyed in order to promote or demonstrate the product available for sale or is given away to a prospective customer as an inducement to make future purchases. For example, a retail grocer offering free samples of pizza to customers in his store in order to promote the sale of a new frozen pizza would not be able to claim a demonstration use exemption on his purchase price of the pizza consumed in the promotion.

4) A vendor may not claim a demonstration use exemption on the use of a competing product, not available for sale by that vendor, even though the vendor is promoting the competing product to assist in the demonstration of the product which he sells. Nor may a vendor claim a demonstration use exemption on ancillary items used in the demonstration of a product (i.e., a microwave used to heat the pizza samples in the above example). The demonstration use exemption is available only to a vendor of the product being demonstrated.

c) For watercraft or aircraft, if the period of demonstration use or interim use by the retailer exceeds 18 months, the retailer shall pay Use Tax on the original cost price of the aircraft or watercraft, and no credit for that tax is permitted if the aircraft or watercraft is subsequently sold by the retailer. For purposes of this Section, the term "watercraft" means a Class 2, Class 3 or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act [625 ILCS 45/3-2], a personal watercraft, or any boat equipped with an inboard motor.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Procedures of the Department of State Police Merit Board

- 2) Code Citation: 80 Ill. Adm. Code 150

- 3) Section Numbers: Proposed Action:

150.310 Amendment

150.410 Amendment

150.430 Amendment

- 4) Statutory Authority: 20 ILCS 2610/13

- 5) A. Complete Description of the Subjects and Issues Involved: Sections 150.310, 150.140 and 150.430 - These rulemaking changes will eliminate the rank of Special Agent for promotion and change the method in which Majors are certified for promotion.

- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this rulemaking contain incorporations by reference? No

- 9) Are there any other proposed rulemakings pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This rulemaking will not affect units of local government.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days after this issue of the *Illinois Register* to:

Mr. James E. Seiber
Executive Director
Department of State Police Merit Board
3100 Adloff Lane, Suite 100
Springfield, Illinois 62703
217/786-6240

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None

- B) Reporting, bookkeeping or other procedures required for compliance:
None

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENTS

- C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: It was not anticipated.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE A: MERIT EMPLOYMENT SYSTEMS

CHAPTER IV: DEPARTMENT OF STATE POLICE MERIT BOARD

PART 150

PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD

SUBPART A: DEFINITIONS

Section
150.10

Definitions

SUBPART B: CERTIFICATION FOR APPOINTMENT

Section
150.210
150.220
150.230
150.240

Qualifications
Selection Procedures
Recertification
Probationary Period

SUBPART C: CLASSIFICATION OF RANKS

Section
150.310
150.320

Ranks
Interdivisional Transfers

SUBPART D: CERTIFICATION FOR PROMOTION

Section
150.410
150.420
150.430
150.440

Board Responsibilities
Eligibility
Procedures
Promotion Probationary Period (Repealed)

SUBPART E: DISCIPLINARY ACTION

Section
150.510
150.520
150.530
150.540
150.550
150.560
150.565
150.570
150.575
150.580
150.585

Merit Board Jurisdiction
Discipline Afforded the Deputy Director
Notification to Suspended Officer
Petition for Review
Form and Content of Petition for Review
Filing Procedures
Procedure for Processing Petition for Review
Director's Review
Discipline Afforded the Director
Complaint Procedures
Scheduling the Hearing

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENTS

Notification to Officer

SUBPART F: HEARINGS

Section
150.610
150.620
150.630
150.640
150.650
150.655
150.660
150.665
150.670
150.675
150.680
150.685

Board Docket
Hearing Officer
Pre-hearing Conferences
Motions
Subpoenas
Request for Witnesses or Documents
Evidence Depositions
Hearing Procedures
Continuances and Extensions of Time
Computations of Time
Decisions of the Board
Service and Form of Papers

APPENDIX A Vision Standards

APPENDIX B Physical Fitness Standards

AUTHORITY: Implementing Sections 3 through 14 and authorized by Section 8 of the State Police Act [20 ILCS 2610/3 through 14].

SOURCE: Emergency rule adopted at 2 Ill. Reg. 10, p. 206, effective February 24, 1978, for a maximum of 150 days; emergency amendment at 2 Ill. Reg. 32, p. 37, effective July 27, 1978, for a maximum of 150 days; emergency amendments at 2 Ill. Reg. 51, p. 100, effective December 7, 1978, for a maximum of 150 days; adopted at 2 Ill. Reg. 52, p. 422, effective December 25, 1978; amended at 3 Ill. Reg. 47, p. 86, effective November 12, 1979; emergency amendment at 4 Ill. Reg. 63, p. 284, effective February 1, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 2739, effective March 2, 1981; amended at 6 Ill. Reg. 10954, effective August 31, 1982; codified at 7 Ill. Reg. 9900; amended at 7 Ill. Reg. 15018, effective November 2, 1983; emergency amendment at 8 Ill. Reg. 3799, effective December 27, 1983, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 3038, effective February 23, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7894, effective May 23, 1984; amended at 9 Ill. Reg. 3721, effective March 13, 1985; amended at 9 Ill. Reg. 14328, effective September 6, 1985; recodified from the Department of Law Enforcement Merit Board to the Department of State Police Merit Board pursuant to Executive Order 85-3, effective July 1, 1985, at 10 Ill. Reg. 3283; amended at 10 Ill. Reg. 17755, effective October 1, 1986; amended at 11 Ill. Reg. 7760, effective April 14, 1987; amended at 11 Ill. Reg. 18303, effective October 26, 1987; amended at 12 Ill. Reg. 1118, effective December 24, 1987; amended at 12 Ill. Reg. 10736, effective June 13, 1988; amended at 13 Ill. Reg. 5201, effective April 3, 1989; emergency amendment at 13 Ill. Reg. 16607, effective September 29, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 19592, effective December 1, 1989; amended at 14 Ill. Reg. 3679, effective February 23, 1990; amended at 15 Ill.

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENTS

Reg. 11007, effective July 15, 1991; amended at 16 Ill. Reg. 11835, effective July 13, 1992; emergency amendment at 16 Ill. Reg. 17374, effective October 29, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 9716, effective June 10, 1993; expedited correction at 17 Ill. Reg. 14684, effective June 10, 1993; amended at 17 Ill. Reg. 21079, effective November 22, 1993; amended at 19 Ill. Reg. 6679, effective May 1, 1995; amended at 19 Ill. Reg. 7970, effective June 1, 1995; amended at 20 Ill. Reg. 404, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 8062, effective June 4, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 13653, effective October 3, 1996; amended at 21 Ill. Reg. 14640, effective October 25, 1996; amended at 21 Ill. Reg. 14762, effective October 27, 1997; amended at 21 Ill. Reg. 5092, effective February 26, 1998; amended 21 Ill. Reg. 18076, effective September 28, 1998; amended at 26 Ill. Reg. 727, effective July 2, 2000; emergency amendment at 24 Ill. Reg. 16103, effective October 13, 2000, for a maximum of 150 days; emergency expired March 11, 2000; amended at 25 Ill. Reg. _____, effective _____.

SUBPART C: CLASSIFICATION OF RANKS

Section 150.310 Ranks

The Merit Board classifies sworn officers according to the following ranks. Standards and Qualifications for each rank are established for description and test purposes:

State Police Officers

Major

Captain

Lieutenant

Master Sergeant

Sergeant

Special Agent

Trooper

(Source: Amended at 25 Ill. Reg. _____, effective _____)

SUBPART D: CERTIFICATION FOR PROMOTION

Section 150.410 Board Responsibilities

The Board shall make certifications for promotion on the basis of job performance measurement, seniority, education, and written examination. Examinations for promotion will be given at least every twenty-four months for the ranks of Sergeant and Master Sergeant and every twenty-four (24) months for the ranks of Lieutenant and Captain and Major with notification of time and location to be provided in the promotional

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENTS

announcement. The promotion process for the rank of Major will be initiated when the Illinois State Police makes written request nominating a candidate for that rank.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 150.430 Procedures

- a) The Board will provide each officer with official notification announcing the examination and requesting a written response respecting the officer's intention to participate.
- b) Candidates for promotion must complete examinations at the time designated by the Board in the official notification. No exceptions will be allowed.
- c) Such candidates must have taken the most recent examination offered by the Board and be eligible for certification for promotion. All candidates taking the examination for each rank will be advised of their total promotional score and standing.
- d) Promotional Process Components
- The total promotional score will consist of combined standardized scores or respective percentage weights of the components designated for each rank:

Components	Sgt. Msg	Lt. Capt-Maj
Written Examination	50% X	X
Performance Appraisal	45% X	X
Seniority in Rank	5 X	X
Assessment Exercise	NA	X

- e) Candidates for the ranks of Lieutenant and Captain--and--Major will participate in a written examination, and an assessment exercise, as well as receive a performance appraisal, and a seniority score. The combined score will be standardized to a one hundred point scale. The top 65% of all Master Sergeants and Lieutenants--and--Captains participating in the total promotional process will be certified by the Board.

- f) The Board will certify to the Director the top 65% of those Trooper--Special Agents and Sergeants participating in the total promotional process.
- g) There will be statewide certification lists for the ranks of Captain and--Major. The certification lists for Sergeant and Master Sergeant will be according to Districts and the certification lists for

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENTS

Lieutenant will be according to Regions, as defined jointly by the Illinois State Police and the Illinois State Police Merit Board for promotional purposes.

h) The top 10 candidates on each certification list for all ranks are equally eligible for promotion by the Director; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration. The Director may promote accordingly any one of the eligible candidates in accordance with Equal Employment Opportunity Commission regulations (29 CFR 1600 et seq. (July 1, 1982)) and Illinois Department of Human Rights guidelines.

1) As promotions are accepted or waived, that candidate with the next highest total promotional score on the list becomes equally eligible for promotion; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration.

2) Eligible candidates on the certification list may decline an offer of promotion without losing position on the certification list. In the event of declination, that candidate with the next highest total promotional score becomes equally eligible for promotion; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration.

i) Upon written notification from the Department to the Board that a candidate on the certification list has been suspended, is on leave of absence, or has applied for disability benefits, the Board will remove the candidate's name from the certification list. The candidate's name will be restored on the list in a position in proper relation to the total promotional scores remaining when the suspension or leave of absence terminates or the disability is removed.

j) The certification list shall remain in force until the new certification list has been established; however, in the event that a certification list becomes exhausted, the Director will file a written request with the Board asking for the certification of additional names on any one list if necessary to fill vacant positions.

k) Candidates for the rank of Major will be nominated to the Board by written request from the Illinois State Police. The Board will review the position requirements, candidate information and any written/oral examinations necessary to determine if the candidate will be certified for promotion.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED RULES

1) Heading of the Part: High Risk Home Loans

2) Code Citation: 38 Ill. Adm. Code 345

3) Section Numbers: Adopted Action:

345.10 New

345.20 New

345.30 New

345.40 New

345.45 New

345.50 New

345.60 New

345.65 New

345.70 New

345.80 New

345.90 New

345.100 New

345.110 New

345.120 New

345.130 New

345.140 New

345.150 New

APPENDIX A New

APPENDIX B New

4) Statutory Authority: Implementing and authorized by Section 48 of the Illinois Banking Act (205 ILCS 5/48(a))

5) Effective Date of Rules: May 17, 2001

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted rules, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notices of Proposal Published in Illinois Register: 24 Ill. Reg. 18871 on December 29, 2000

10) Has JCAR issued a Statement of Objection to these rules? No

11) Differences between proposal and final version: As requested through public comment, changes were made to the data collection provisions for mortgage default and foreclosure and provisions covering third party review of high risk home loans. The dates for reporting and required information on mortgage default and foreclosure are changed. Under third

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED RULES

party review provisions, the borrower, rather than the lender, will submit information on new forms added to the final version as Appendix A ("Estimated Monthly Income and Expenses Worksheet") and Appendix B ("Mortgage Ratio Worksheet"). Numerous primarily technical changes have also been made to the final version as requested by JCAR and public comment.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rulemaking currently in effect? No
- 14) Are there any rules pending on this Part? No.
- 15) Summary and Purpose of Rules: The adopted rulemaking adds new language that will clarify the terms and conditions for a defined "high risk home loan". Lenders will be required to base the loan on the borrowers' ability to repay and the lender must verify that ability. Fraudulent and deceptive practices are banned. Pre-paid insurance products are banned. A refinancing within a 12-month period that results in additional points and fees is limited to when there is a financial benefit to the borrower. Balloon payments are limited. Points and fees can be financed only if they are less than 6% of the loan amount. Payments made by lenders solely to contractors will no longer be allowed. Negative amortization and negative equity loans are limited to reverse mortgages. Notice of counseling is required on certain loans prior to moving the loan into a foreclosure proceeding. A Mortgage Awareness Program to counsel borrowers is established. A new report detailing default and foreclosure rates on conventional loans is required to be filed by the entity chartered or licensed. Such report may be used to initiate regulatory corrective action. A program to have the State perform third party reviews of certain loans is established subject to funding by the General Assembly. All of these features are designed to provide a comprehensive response to the high foreclosure rates that have occurred in the last two years.

Information and questions regarding this adopted rulemaking shall be directed to:
Jay Stevenson
Assistant Commissioner
Office of Banks and Real Estate
500 E. Monroe Street
Springfield, IL 62701-1532
217/782-3000

The full text of the adopted rules begins on the next page:

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED RULES

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER II: OFFICE OF BANKS AND REAL ESTATE
PART 345
HIGH RISK HOME LOANS

Section

- 345.10 Definitions
- 345.20 Ability to Repay
- 345.30 Verification of Ability to Pay Loan
- 345.40 Fraudulent or Deceptive Practices
- 345.45 Prepayment Penalty
- 345.50 Pre-paid Insurance Products and Warranties
- 345.60 Refinancing Prohibited in Certain Cases
- 345.65 Balloon Payments
- 345.70 Financing of Certain Points and Fees
- 345.80 Payments to Contractors
- 345.90 Negative Amortization
- 345.100 Negative Equity
- 345.110 Counseling Prior to Perfecting Mortgage to Borrowers
- 345.120 Mortgage Awareness Program
- 345.130 Report of Default and Foreclosure Rates on Conventional Loans
- 345.140 Commissioner's Review and Analysis
- 345.150 Third Party Review of High Risk Home Loans

APPENDIX A Estimated Monthly Income and Expenses Worksheet
APPENDIX B Mortgage Ratio Worksheet

AUTHORITY: Implementing and authorized by Section 48 of the Illinois Banking Act (205 ILCS/48(a)).

SOURCE: Sections 345.130, 345.140, and 345.150 adopted by emergency rulemaking at 24 Ill. Reg. 19308, effective December 15, 2000, for a maximum of 150 days; emergency rulemaking repealed at 25 Ill. Reg. 3692, effective January 30, 2001 in response to an objection of the Joint Committee on Administrative Rules at 25 Ill. Reg. 1855; adopted at 25 Ill. Reg. 6139 effective 1/1/01.

Section 345.10 Definitions

- "Act" means the Illinois Banking Act [205 ILCS 5].
- "Approved Credit Counselor" means a credit counselor as approved by the Director of the Department of Financial Institutions.
- "Good faith" means honesty in fact in the conduct of the transaction.
- "High risk home loan on residential real property" means a home equity

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED RULES

Loan in which:

at the time of origination, the APR exceeds by more than 6 percentage points in the case of a first lien mortgage, or by more than 8 percentage points in the case of a junior mortgage, the yield on U.S. Treasury securities having comparable periods of maturity to the loan maturity as of the fifteenth day of the month immediately preceding the month in which the application for the loan is received by the lender; or

the total points and fees payable by the consumer at or before closing will exceed the greater of 5% of the total loan amount or \$800. The \$800 figure shall be adjusted annually on January 1 by the annual percentage change in the Consumer Price Index.

However, this Part shall not apply to a loan that is made primarily for a business purpose unrelated to the residential real property securing the loan or to an open-end credit plan subject to 12 CFR 226 (2000, no subsequent amendments or editions are included).

"Home equity loan" means any loan secured by the borrower's primary residence where the proceeds are not used as purchase money for the residence.

"Points and fees" means:

all items required to be disclosed as points and fees under 12 CFR 226.32 (2000, no subsequent amendments or editions included);

the premium of any single premium credit life, credit disability, credit unemployment, or any other life or health insurance that is financed directly or indirectly into the loan;

all compensation paid directly or indirectly to a mortgage broker, including a broker that originates a loan in its own name in a table funded transaction, not otherwise included in 12 CFR 226.4.

"Servicer" means any entity chartered under the Act who is responsible for the collection or remittance for, or the right or obligation to collect or remit for, any lender, noteowner, noteholder, or for a licensee's own account, of payments, interest, principal, and trust items such as hazard insurance and taxes on a residential mortgage loan in accordance with the terms of the residential mortgage loan; and includes loan payment follow-up, delinquency loan follow-up, loan analysis and any notifications to the borrower that are necessary to enable the borrower to keep the loan current and in good standing.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED RULES

"Total loan amount" is the same as the term used in 12 CFR 226.32, and shall be calculated in accordance with the Federal Reserve Board's Official Staff Commentary to that regulation.

Section 345.20 Ability to Repay

A lender shall not make a high risk home loan if the lender does not believe at the time the loan is consummated that the borrower or borrowers will be able to make the scheduled payments to repay the obligation based upon a consideration of their current and expected income, current obligations, employment status and other financial resources (other than the borrower's equity in the dwelling that secures repayment of the loan). A borrower shall be presumed to be able to repay the loan if, at the time the loan is consummated, or at the time of the first rate adjustment in the case of a lower introductory interest rate, the borrower's scheduled monthly payments on the loan (including principal, interest, taxes, insurance and assessments), combined with the scheduled payments for all other disclosed debts, do not exceed 50% of the borrower's monthly gross income.

Section 345.30 Verification of Ability to Pay Loan

The lender shall verify the borrower's ability to repay the loan in the case of high risk home loans. Such verification shall require, at a minimum, the following:

- a) The borrower prepares and submits to the lender a personal income and expense statement in a form prescribed by the Commissioner who may permit the use of other forms such as the URLA (Fannie Mae Form 1003 (10/92), available from Fannie Mae, 3900 Wisconsin Avenue, NW, Washington, DC 20016-2892 and Freddie Mac Form 85 (10/92), available from Freddie Mac at 1101 Pennsylvania Avenue, NW, Suite 950, PO Box 37347, Washington, DC 20077-0001, no subsequent amendments or editions) and Transmittal Summary (Fannie Mae Form 1077 (3/97), available from Fannie Mae, 3900 Wisconsin Avenue, NW, Washington, DC 20016-2892 and Freddie Mac Form 1008 (3/97), available from Freddie Mac at 1101 Pennsylvania Avenue, NW, Suite 950, PO Box 37347, Washington, DC 20077-0001, no subsequent amendments or editions).
- b) Income is verified by means of tax returns, pay stubs, accounting statements or other prudent means.
- c) A credit report is obtained regarding the borrower.

Section 345.40 Fraudulent or Deceptive Practices

No lender shall employ fraudulent or deceptive acts or practices in the making of a high risk home loan, including deceptive marketing and sales efforts.

Section 345.45 Prepayment Penalty

No lender shall make a high risk home loan that includes a penalty provision

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED RULES

for payment made:

- a) after the expiration of the 36 month period following the date the loan was made; or
- b) that is more than:
 - 1) 3% of the total loan amount, if the prepayment is made within the first 12 month period following the date the loan was made; or
 - 2) 2% of the total loan amount, if the prepayment is made within the second 12 month period after the date the loan was made; or
 - 3) 1% of the total loan amount, if the prepayment is made within the third 12 month period following the date the loan was made.

Section 345-50 Pre-paid Insurance Products and Warranties

No lender shall make a high risk home loan that finances a single premium credit life, credit disability, credit unemployment, or any other life or health insurance, directly or indirectly. Insurance calculated and paid on a monthly basis shall not be considered to be financed by the lender.

Section 345-60 Refinancing Prohibited in Certain Cases

No lender shall refinance any high risk home loan, where such refinancing charges additional points and fees, within a 12 month period after the original loan agreement was signed, unless the refinancing results in a financial benefit to the borrower.

Section 345-65 Balloon Payments

No lender shall make a high risk home loan that contains a scheduled final payment that is more than twice as large as the average of earlier scheduled monthly payments unless such balloon payment becomes due and payable at least 15 years after the loan's origination. This prohibition does not apply when the payment schedule is adjusted to account for the seasonal or irregular income of the borrower or if the purpose of the loan is a "bridge" loan connected with the acquisition or construction of a dwelling intended to become the borrower's principal dwelling.

Section 345-70 Financing of Certain Points and Fees

No lender shall make a high risk home loan that finances points and fees in excess of 6% of the total loan amount.

Section 345-80 Payments to Contractors

No lender shall make a payment of any proceeds of a high risk home loan to a contractor under a home improvement contract other than:

- a) by instrument payable to the borrower or jointly to the borrower and the contractor; or
- b) at the election of the borrower, by a third party escrow agent in

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED RULES

accordance with the terms established in a written agreement signed by the borrower, the lender, and the contractor before the date of the payment.

Section 345-90 Negative Amortization

No lender shall make a high risk home loan, other than a loan secured only by a reverse mortgage, with terms under which the outstanding balance will increase at any time over the course of the loan because the regular periodic payments do not cover the full amount of the interest due, unless the negative amortization is the consequence of a temporary forbearance sought by the borrower.

Section 345-100 Negative Equity

No lender shall make a high risk home loan where the loan amount exceeds the value of the property securing the loan plus reasonable closing costs not to exceed 5% of the total loan amount.

Section 345-110 Counseling Prior to Perfecting Foreclosure Proceedings

- a) In the event that a high risk home loan becomes delinquent by more than 30 days, the servicer shall send a notice advising the borrower that he or she may wish to seek consumer credit counseling.
- b) The notice required in subsection (a) shall, at a minimum, include the following language:

"YOUR LOAN IS OR WAS MORE THAN 30 DAYS PAST DUE. YOU MAY BE EXPERIENCING FINANCIAL DIFFICULTY. IT MAY BE IN YOUR BEST INTEREST TO SEEK APPROVED CONSUMER CREDIT COUNSELING. A LIST OF APPROVED CREDIT COUNSELORS MAY BE OBTAINED FROM THE ILLINOIS OFFICE OF BANKS AND REAL ESTATE."

- c) If, within 15 days after mailing the notice provided for under subsection (b), a lender or its agent is notified in writing by an approved consumer credit counselor and the approved consumer credit counselor advises the lender or its agent that the borrower is seeking approved consumer credit counseling, then the lender and its agent shall not institute legal action under Part 15 of Article XV of the Code of Civil Procedure for 30 days from the date of that notice. Only one such 30-day period of forbearance is allowed under this Section per subject loan.

- d) If, within the 30-day period provided under subsection (c), the lender or its agent, the approved consumer credit counselor, and the borrower agree to a debt management plan, then the lender and its agent shall not institute legal action under part 15 of Article XV of the Code of Civil Procedure for so long as the debt management plan is complied with by the borrower.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED RULES

- 1) The agreed debt management plan must be in writing and signed by the lender or its agent, the approved consumer credit counselor, and the borrower. No modification of an approved debt management plan can be made without the mutual agreement of the lender or its agent, the approved consumer credit counselor, and the borrower.
- 2) Upon written notice to the lender or its agent, the borrower may change approved consumer credit counselors.
- e) If the borrower fails to comply with the agreed debt management plan, then nothing in this Subpart shall be construed to impair the legal right of the lender or its agent to enforce contracts or mortgage agreements.
- f) This Section applies only to high risk home loans as defined by Section 345.10.

Section 345.120 Mortgage Awareness Program

- a) The Mortgage Awareness Program is a counseling and educational component that is provided by the Director of the Department of Financial Institutions.
- b) The core curriculum of the Mortgage Awareness Program shall include:
 - 1) Explanation of the amount financed;
 - 2) Explanation of the finance charge;
 - 3) Explanation of the annual percentage rate;
 - 4) Explanation of the total payments;
 - 5) Explanation of the loan costs, including broker's fees, finance charges, points, origination fees;
 - 6) Explanation of the right of rescission;
 - 7) Explanation of foreclosure procedures;
 - 8) Explanation of the significant debt ratios, including total debt to income, loan debt to income, and loan debt to value of residence;
 - 9) Explanation of adjustable rate mortgage;
 - 10) Explanation of balloon payments;
 - 11) Explanation of credit options;
 - 12) Explanation of each item that appears on a good faith estimate;
 - 13) Explanation of pre-payment penalties.
- c) Counseling session attendees must also complete a personal income and expense statement, as well as a balance sheet, on forms provided by the Commissioner.
- d) Prior to signing a certificate of completion, counselors shall privately discuss with each attendee that attendee's income and expense statement and balance sheet, as well as the terms of any loan the attendee currently has or may be contemplating and provide a third party review to establish the affordability of the loan.
- e) Counseling session attendees must also be given a brochure that contains information covered by the Mortgage Awareness Program.
- f) Any lender, prior to making a high risk home loan, shall inform the

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED RULES

- borrower in writing of the right to participate in the Mortgage Awareness Program.
- g) No lender shall offer less favorable loan terms to a borrower due to a borrower's participation in a Mortgage Awareness Program.
 - h) Except as prohibited elsewhere in this Part, the borrower may waive participation in the program, provided that such waiver occurs no less than 2 business days after the day that the borrower receives the written notice required by subsection (f) and that such waiver is in writing in a form approved by the Commissioner.

Section 345.130 Report of Default and Foreclosure Rates on Conventional Loans

- a) On or before October 1 and April 1 of each year, each bank that is a servicer of Illinois residential mortgage loans shall report to the Commissioner the default and foreclosure data of conventional loans for the six month periods ending June 30 and December 31, respectively.
- b) Each bank shall report:
 - 1) The average quarterly dollar amount of conventional 1-4 family mortgage loans secured by Illinois real estate;
 - 2) The average quarterly dollar amount of conventional 1-4 family mortgage loans secured by Illinois real estate;
 - 3) The average quarterly dollar amount of conventional 1-4 family mortgage loans secured by Illinois real estate that are in default over 90 days.
 - 4) The average quarterly number of conventional 1-4 family mortgage loans secured by Illinois real estate that are in default over 90 days.
 - 5) The dollar amount of foreclosures on 1-4 family conventional loans completed during the reporting period.
 - 6) The number of foreclosures on 1-4 family conventional loans completed during the reporting period.
 - 7) Whether any of the loans where a foreclosure was completed were originated less than 18 months before the completed foreclosure.
 - 8) Whether any of the loans where a foreclosure was completed had a note rate greater than 10% for first lien mortgage loans or greater than 12% in the case of a junior lien.
- c) An officer of the bank shall sign the form.

Section 345.140 Commissioner's Review and Analysis

- a) The Commissioner shall review and analyze the default and foreclosure rate data reports submitted under Section 345.130.
- b) The reports and their analyses may be used:
 - 1) In setting the scope of a regularly scheduled examination.
 - 2) In setting the scope of a special examination.
 - 3) In comparing the reported information of a bank to other banks subject to this Act.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED RULES

- 4) In comparing the reported information of a bank to the reports submitted by banks and charters under other Acts.
- c) The Commissioner may correspond with a bank to seek clarification of information contained in its report and to gather additional data concerning loans in default or loans in foreclosure.

Section 345.150 Third Party Review of High Risk Home Loans

In the case of any high risk home loan, the borrower shall be afforded the opportunity to seek independent review by the Office of Banks and Real Estate of the loan terms, in order to determine affordability of the loan, when and if the General Assembly appropriates adequate funding to the Office of Banks and Real Estate specifically for this program.

- a) Every borrower who chooses to participate in the independent review provided in this Section shall submit information requested on the worksheets outlined in Appendix A and B.
- b) The Office of Banks and Real Estate shall provide the borrower with a review of the worksheets and shall also inform the borrower of the amount the borrower has available for a monthly mortgage payment based upon the borrower's budget.
- c) In addition, the Office of Banks and Real Estate shall review loan information pertaining to balloon payments and adjustable interest rates and other items disclosed by the loan documents affecting amount of payment and shall inform the borrower of such items.
- d) The borrower shall receive a copy of the completed forms and shall sign the forms acknowledging receipt. A copy of the written and signed forms shall be submitted to the lender prior to the closing of the loan and shall become a part of the permanent file for the loan.
- e) If, based upon the review, the borrower determines that the loan is not in his or her best economic interest, the reviewer shall so note this in the completed forms sent to the lender. This determination shall enable the borrower to withdraw from the contemplated loan with no financial penalty.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED RULES

Section 345.APPENDIX A Estimated Monthly Income and Expenses Worksheet

ESTIMATED MONTHLY INCOME:

1. Paychecks (Net/"Take Home") \$
2. Interest/Dividends
3. Social Security/Pension
4. Alimony/Child Support
5. Other
6. Total Estimated Monthly Income \$
(Add Lines 1 through 5)

ESTIMATED MONTHLY EXPENSES:

7. Mortgages/Rent \$
8. Homeowner's/Renter's Insurance
9. Real Estate Taxes
10. Water & Sewer
11. House Repairs
12. Groceries
13. Telephone
14. Gas (House)
15. Electric
16. Credit Cards
17. Car Payments
18. Car Insurance
19. Licenses (Car)
20. Gas (Car)
21. Car Repairs/Maintenance
22. Clothing
23. Medical/Dental
24. Medical Insurance
25. Prescriptions
26. Loan Payments
- (Not included in Line 7 or 17)
27. Tuition
28. Contributions
29. Cellular Telephone
30. Pager
31. Recreation/Vacation
32. Other Insurance (Life, etc.)
33. Income Taxes
34. Alimony/Child Support
35. Transportation
36. Miscellaneous
37. Other
38. Total Estimated Monthly Expenses \$
(Add Lines 7 through 37)

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED RULES

39. *Excess/Deficit

(Subtract Line 38 from Line 6)

\$ _____

*If Line 38 is greater than Line 6, your estimated monthly expenses exceed your estimated monthly income.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED RULES

Section 345. APPENDIX B Mortgage Ratio Worksheet

Part I

LOAN-TO-VALUE RATIO

1. Mortgage Amounts \$ _____

2. Appraised Value \$ _____

3. Line 1 divided by Line 2 _____

Note: This is the percentage of the purchase price/appraised value of your home that will be allocated to your total mortgage. A percentage rate over 80% may result in you incurring additional costs.

Borrower's Signature _____

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED RULES

Part II

INCOME RATIO

MONTHLY HOUSING EXPENSES:

1. Principal and Interest Payment \$ _____
2. Homeowner's Insurance _____
3. Real Estate Tax _____
4. Mortgage Insurance Premium _____
5. Homeowner's Assoc. Fee _____
6. Ground Rents _____
7. Payments on Existing or Proposed 2nd Mortgage _____
8. Total Housing Expense (Add lines 1 through 7) \$ _____

MONTHLY GROSS INCOME:

9. Gross Salary \$ _____
10. Dividends/Interest _____
11. Social Security/Pension _____
12. Alimony/Child Support _____
13. Other _____
14. Total Gross Income \$ _____
15. Divide line 8 by Line 14 _____

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses.

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED RULES

Part III

LONG-TERM DEBT RATIO

MONTHLY EXPENSES:

1. Total Housing Expense (Part II, Line 8) \$ _____
2. Credit Cards _____
3. Car Payments _____
4. Loans (Not Included on Line 1 or Line 3) _____
5. Alimony/Child Support _____
6. Total Expenses (Lines 1 through 5) \$ _____

MONTHLY INCOME:

7. Total Gross Income (Part II, Line 14) \$ _____
8. Divide Line 6 by Line 7 _____

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses and other debt that you pay on a monthly basis.

Borrower's Signature

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Illinois Savings and Loan Act of 19852) Code Citation: 38 Ill. Adm. Code 10003) Section Numbers: Adopted Action:

New
 1000.3000
 New
 1000.3100
 New
 1000.3150
 New
 1000.3200
 New
 1000.3225
 New
 1000.3250
 New
 1000.3300
 New
 1000.3325
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 1000.3350
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 1000.3400
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 1000.3450
 New
 1000.3500
 New
 1000.3550
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 1000.3600
 New
 1000.3650
 New
 1000.3700
 New
 1000.3750
 New
 Appendix A
 Appendix B

4) Statutory Authority: Implementing and authorized by the Illinois Savings and Loan Act of 1985 [205 ILCS 105/7-3(b)(2)]5) Effective Date of Rulemaking: May 17, 20016) Does this rulemaking contain an automatic repeal date? No7) Does this rulemaking contain incorporations by reference? Yes

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: 24 Ill. Reg. 18881 on December 29, 200010) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: As requested through public comment, changes were made to the data collection provisions for mortgage default and foreclosure and provisions covering third party review of high risk home loans. The dates for reporting and required information on mortgage default and foreclosure are changed. Under third

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

party review provisions, the borrower, rather than the lender, will submit information on new forms added to the final version as Appendix A ("Estimated Monthly Income and Expenses Worksheet") and Appendix B ("Mortgage Ratio Worksheet"). Numerous primarily technical changes have also been made to the final version as requested by JCAR and public comment.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes13) Will this rulemaking replace an emergency rulemaking currently in effect?
No14) Are there any amendments pending on this Part? No15) Summary and Purpose of Rulemaking: The adopted rulemaking adds new language that will clarify the terms and conditions for a defined "high risk home loan". Lenders will be required to base the loan on the borrowers' ability to repay and the lender must verify that ability. Fraudulent and deceptive practices are banned. Pre-paid insurance products are banned. A refinancing within a 12-month period that results in additional points and fees is limited to when there is a financial benefit to the borrower. Balloon payments are limited. Points and fees can be financed only if they are less than 6% of the loan amount. Payments made by lenders solely to contractors will no longer be allowed. Negative amortization and negative equity loans are limited to reverse mortgages. Notice of counseling is required on certain loans prior to moving the loan into a foreclosure proceeding. A Mortgage Awareness Program to counsel borrowers is established. A new report detailing default and foreclosure rates on conventional loans is required to be filed by the entity chartered or licensed. Such report may be used to initiate regulatory corrective action. A program to have the State perform third party reviews of certain loans is established subject to funding by the General Assembly. All of these features are designed to provide a comprehensive response to the high foreclosure rates that have occurred in the last two years.16) Information and questions regarding this adopted rulemaking shall be directed to: Jay Stevenson
Assistant Commissioner
Office of Banks and Real Estate
500 E. Monroe Street
Springfield IL 62701-1532
217/782-3000

The full text of the adopted amendments begins on the next page:

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS

CHAPTER 11: OFFICE OF BANKS AND REAL ESTATE

PART 1000

ILLINOIS SAVINGS AND LOAN ACT OF 1985

SUBPART A: FEES

Section	
1000.110	Filings
1000.120	Conditions
1000.130	Examination Fees
1000.140	Annual Supervisory Fees (Repealed)
1000.141	Supervisory Fees
1000.142	Adjusted Supervisory Fees
1000.143	Special Assessment (Emergency Expired)
1000.150	Manner of Payment
1000.151	Special Credit (Repealed)

SUBPART B: DEFINITIONS

Section	
1000.205	Introduction
1000.210	Association
1000.220	Commissioner
1000.230	Single Family Dwelling
1000.240	Unsafe
1000.250	Mobile Home
1000.260	Mobile Home Chattel Paper
1000.270	Person
1000.280	Proposed Borrower
1000.290	Redlining

SUBPART C: REPORTS

Section	
1000.310	Contracts (Repealed)

SUBPART D: OPERATIONS

Section	
1000.410	Permanent Reserve Shares
1000.420	Dividend Advertising
1000.430	Maintenance of Records
1000.440	Business Plan

SUBPART E: APPRAISALS

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Section	
1000.510	Appraisals

SUBPART F: INVESTMENTS

Section	
1000.610	Prudent Person Rule
1000.615	Investment Underwriting Practices
1000.620	Discrimination and Redlining Prohibited
1000.630	Loans Secured by Real Estate
1000.640	Construction Loans
1000.650	College Loans (Repealed)
1000.660	Mobile Home Financing
1000.665	Other Loans
1000.670	Collateral Loan: (Repealed)
1000.675	Investment Parity (Repealed)
1000.680	Unsecured Loans (Repealed)
1000.690	Sale of Loans and Participations (Repealed)
1000.700	Insider Loan Rates (Repealed)
1000.710	Reverse Mortgage Loans
1000.720	Repurchase Agreements

SUBPART G: BONUS PLANS

Section	
1000.810	Bonus Plans

SUBPART H: NOTICE TO COMMISSIONER

Section	
1000.910	Corrective Action

SUBPART I: SERVICE CORPORATIONS

Section	
1000.1010	Requirements
1000.1020	Approval by the Commissioner
1000.1030	Lending Limitations
1000.1040	Investments by Service Corporations
1000.1050	Ownership of Capital Stock of Service Corporation
1000.1060	Prohibited Transactions
1000.1070	Disclosure to Service Corporation
1000.1080	Reporting Requirements
1000.1090	Audit Requirements

SUBPART J: RELOCATIONS AND BRANCHING

Section	
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OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

1000.1110 General
 1000.1120 Application
 1000.1130 Request for Preliminary Determination
 1000.1140 Amendment of Application (Repealed)
 1000.1150 Public Notice and Inspection
 1000.1160 Protest
 1000.1170 Oral Argument
 1000.1180 Application for and Maintenance of Branch Office after Conversion,
 Consolidation, Purchase of Assets or Merger
 1000.1190 Resignation of Offices
 1000.1200 Termination of Operation and/or Closing of a Branch Office
 1000.1210 Agency Offices
 1000.1220 Remote Drive-in and/or Remote Pedestrian Facilities

SUBPART N: CAPITAL NOTES AND DEBENTURES

Section
 1000.1310 Approval
 1000.1320 Conversion to Stock
 1000.1330 Priority of Claim
 1000.1340 Effect on Reserve Requirements

SUBPART E: THIRD-PARTY PAYMENT ACCOUNTS

Section
 1000.1410 General
 1000.1420 Depositors
 1000.1430 Rate of Interest
 1000.1440 Overdraft Privilege
 1000.1450 Charges and Fees
 1000.1460 Disclosure
 1000.1470 Membership
 1000.1480 Approval and Authorization

SUBPART M: ADMINISTRATIVE HEARING PROCEDURES

Section
 1000.1510 Applicability
 1000.1520 Definitions
 1000.1530 Filing
 1000.1540 Form of Documents
 1000.1550 Computation of Time
 1000.1560 Appearances
 1000.1570 Notice of Hearing
 1000.1580 Service of the Notice of Hearing
 1000.1590 Motion and Answer
 1000.1600 Consolidation and Severance of Matters - Additional Parties
 1000.1610 Intervention

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

1000.1620 Postponement or Continuance of Hearing
 1000.1630 Authority of Hearing Officer
 1000.1640 Bias or Disqualification of Hearing Officer
 1000.1650 Prehearing Conferences
 1000.1660 Discovery
 1000.1670 Subpoenas
 1000.1680 Conduct of the Hearing
 1000.1690 Default
 1000.1700 Evidence
 1000.1710 Official Notice
 1000.1720 Hostile Witnesses
 1000.1730 Transcription of Proceedings
 1000.1740 Briefs
 1000.1750 Hearing Officer's Findings, Opinions and Recommendations
 1000.1760 Order of the Commissioner
 1000.1770 Rer hearings
 1000.1780 Existing Statutory or Agency Procedures and Practices
 1000.1790 Costs of Hearing

SUBPART N: SAVINGS AND LOAN HOLDING COMPANIES

Section
 1000.1800 Applicability
 1000.1810 Plain Meaning/Strict Interpretation
 1000.1905 Affiliate
 1000.1910 Assets
 1000.1915 Books of Record
 1000.1920 Capital Stock
 1000.1925 Charter
 1000.1930 Control
 1000.1935 Eligible Account Holder
 1000.1940 Eligibility Record Date
 1000.1945 Employee
 1000.1950 Equity Security
 1000.1955 Insured Institution
 1000.1970 Member
 1000.1972 Net Worth
 1000.1975 Officer
 1000.1980 Person
 1000.1982 Qualifying Deposit
 1000.1985 Sale
 1000.1990 Security
 1000.1993 Source Documents
 1000.1997 Subsidiary
 1000.2005 Liquidation Account and Proxies
 1000.2010 Mutual Holding Company Ceasing to be a Depository Institution
 1000.2020 Directors of a Mutual Holding Company
 1000.2030 Stock Sales

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

1000.2040 Stock of a Subsidiary of a Mutual Holding Company
 1000.2050 Stock Subsidiary Formation
 1000.2055 Net Worth Maintenance Agreement
 1000.2060 Members' Rights
 1000.2070 Investment
 1000.2105 Notice Requirement/Corrective Action
 1000.2110 Insider Abuses
 1000.2120 Penalty (Emergency Expired)
 1000.2200 Determination of the Qualification and Condition of an Out-of-State Acquisition
 1000.2300 Disposal of a Subsidiary
 1000.2310 Dividends
 1000.2320 Officers and Directors List
 1000.2330 Access to Books and Records
 1000.2340 Reports (Emergency Expired)
 1000.2400 Annual Audit Requirements
 1000.2410 Maintenance of Records
 1000.2420 Notice of Appointment of CPA
 1000.2500 Savings and Loan Holding Company Filing Fees
 1000.2510 Savings and Loan Holding Company Supervisory Fees
 1000.2520 Examination Fees
 1000.2530 Conditions
 1000.2540 Manner of Payment
 1000.2550 Transformation from Deposit to Non-Deposit (Emergency Expired)

SUBPART O: SAVINGS AND LOAN ADVISORY BOARD

Section
 1000.2700 Purpose
 1000.2710 Composition, Appointment

SUBPART P: HIGH RISK HOME LOANS

Section
 1000.3000 Definitions
 1000.3100 Ability to Repay
 1000.3150 Verification of Ability to Pay Loan
 1000.3200 Fraudulent or Deceptive Practices
 1000.3250 Prepayment Penalty
 1000.3300 Pre-paid Insurance Products and Warranties
 1000.3310 Refinancing Prohibited in Certain Cases
 1000.3325 Ballroom Payments
 1000.3350 Financing of Certain Points and Fees
 1000.3400 Payments to Contractors
 1000.3450 Negative Amortization
 1000.3500 Negative Equity
 1000.3550 Counseling Prior to Perfecting Foreclosure Proceedings
 1000.3600 Mortgage Awareness Program

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

1000.3650 Report of Default and Foreclosure Rates on Conventional Loans
 1000.3700 Commissioner's Review and Analysis
 1000.3750 Third Party Review of High Risk Home Loans

APPENDIX A Estimated Monthly Income and Expenses Worksheet
 APPENDIX B Mortgage Ratio Worksheet

AUTHORITY: Implementing and authorized by Section 7-3(b)(2) of the Illinois Savings and Loan Act of 1985 [205 ILCS 105/7-3(b)(2)] and Section 5-35 of the Illinois Administrative Procedure Act [5 ILCS 100/5-35].

SOURCE: Filed and effective January 18, 1974; amended at 2 Ill. Reg. 44, p. 179, effective October 30, 1978; emergency amendment at 2 Ill. Reg. 45, p. 169, effective November 1, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 5, p. 883, effective January 29, 1979; amended at 3 Ill. Reg. 11, p. 163, effective March 12, 1979; amended at 3 Ill. Reg. 19, p. 22, effective May 12, 1979; emergency amendment at 3 Ill. Reg. 39, p. 230, effective September 17, 1979, for a maximum of 150 days; emergency amendment at 4 Ill. Reg. 8, p. 207, effective February 14, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 30, p. 1241, effective July 14, 1980; emergency amendment at 5 Ill. Reg. 2524, effective February 19, 1981, for a maximum of 150 days; amended at 5 Ill. Reg. 7124, effective June 24, 1981; amended at 5 Ill. Reg. 7125, effective June 24, 1981; amended at 5 Ill. Reg. 11377, effective October 14, 1981; amended at 6 Ill. Reg. 3175, effective March 4, 1982; amended at 6 Ill. Reg. 4218, effective April 6, 1982; amended at 6 Ill. Reg. 4219, effective April 6, 1982; amended at 6 Ill. Reg. 7141, effective June 1, 1982; amended at 7 Ill. Reg. 1993, effective January 28, 1983; codified at 7 Ill. Reg. 13669; amended at 8 Ill. Reg. 8630, effective June 1, 1984; amended at 8 Ill. Reg. 15066, effective August 7, 1984; emergency amendment at 9 Ill. Reg. 17437, effective October 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 4946, effective March 11, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 14290, effective August 20, 1986; amended at 10 Ill. Reg. 19781, effective November 6, 1986; amended at 11 Ill. Reg. 20648, effective December 2, 1987; emergency amendment at 11 Ill. Reg. 20672, effective December 3, 1987, for a maximum of 150 days; emergency amendments at 12 Ill. Reg. 8106, effective April 20, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 15165, effective September 13, 1988; amended at 13 Ill. Reg. 8927, effective May 26, 1989; amended at 16 Ill. Reg. 4881, effective March 17, 1992; transferred from Chapter III, 38 Ill. Adm. Code 400 March 17, 1992; transferred from Chapter III, 38 Ill. Adm. Code 400 (Commissioner of Savings and Loan Associations) to Chapter VIII, 38 Ill. Adm. Code 1000 (Commissioner of Savings and Residential Finance) pursuant to Savings Bank Act [205 ILCS 1003] at 17 Ill. Reg. 4464; recodified from Chapter III, Commissioner of Savings and Residential Finance, to Chapter VIII, Office of Banks and Real Estate, pursuant to PA 89-508, at 20 Ill. Reg. 12645; amended at 22 Ill. Reg. 6707, effective March 30, 1998; amended at 24 Ill. Reg. 53, effective January 1, 2000; emergency amendment at 24 Ill. Reg. 19312, effective December 15, 2000, for a maximum of 150 days; emergency repealed at 25 Ill.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Reg. 3694, effective January 30, 2001 in response to an objection of the Joint Committee on Administrative Rules at 25 Ill. Reg. 1856; amended at 25 Ill. Reg. 6152, effective 1/1/01.

SUBPART P: HIGH RISK HOME LOANS

Section 1000.3000 Definitions

"Approved Credit Counselor" means a credit counselor as approved by the Director of the Department of Financial Institutions.

"Good faith" means honesty in fact in the conduct of the transaction.

"High risk home loan" means a home equity loan on residential real property in which:

at the time of origination, the APR exceeds by more than 6 percentage points in the case of a first lien mortgage, or by more than 8 percentage points in the case of a junior mortgage, the yield on U.S. Treasury securities having comparable periods of maturity to the loan maturity as of the fifteenth day of the month immediately preceding the month in which the application for the loan is received by the lender; or

the total points and fees payable by the consumer at or before closing will exceed the greater of 5% of the total loan amount or \$800. The \$800 figure shall be adjusted annually on January 1 by the annual percentage change in the Consumer Price Index.

However, this Subpart shall not apply to a loan that is made primarily for a business purpose unrelated to the residential real property securing the loan or to an open-end credit plan subject to 12 CFR 226 (2000, no subsequent amendments or editions are included).

"Home equity loan" means any loan secured by the borrower's primary residence where the proceeds are not used as purchase money for the residence.

"Points and fees" means:

all items required to be disclosed as points and fees under 12 CFR 226.32 (2000, no subsequent amendments or editions included);

the premium of any single premium credit life, credit disability, credit unemployment, or any other life or health insurance that is financed directly or indirectly into the loan;

all compensation paid directly or indirectly to a mortgage

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

broker, including a broker that originates a loan in its own name in a tablefunded transaction, not otherwise included in 12 CFR 226.4.

"Servicer" means any entity chartered under the Act who is responsible for the collection or remittance for, or the right or obligation to collect or remit for, any lender, noteholder, noteholder, or for a licensee's own account, of payments, interest, principal, and trust items such as hazard insurance and taxes on a residential mortgage loan in accordance with the terms of the residential mortgage loan, and includes loan payment follow-up, delinquency loan follow-up, loan analysis and any notifications to the borrower that are necessary to enable the borrower to keep the loan current and in good standing.

"Total loan amount" is the same as the term used in 12 CFR 226.32, and shall be calculated in accordance with the Federal Reserve Board's Official Staff Commentary to that regulation.

(Source: Added at 25 Ill. Reg. 6152, effective 1/1/01.)

Section 1000.3100 Ability to Repay

A lender shall not make a high risk home loan if the lender does not believe at the time the loan is consummated that the borrower or borrowers will be able to make the scheduled payments to repay the obligation based upon a consideration of their current and expected income, current obligations, employment status and other financial resources (other than the borrower's equity in the dwelling that secures repayment of the loan). A borrower shall be presumed to be able to repay the loan if, at the time the loan is consummated, or at the time of the first rate adjustment in the case of a lower introductory interest rate, the borrower's scheduled monthly payments on the loan (including principal, interest, taxes, insurance and assessments), combined with the scheduled payments for all other disclosed debts, do not exceed 50% of the borrower's monthly gross income.

(Source: Added at 25 Ill. Reg. 6152, effective 1/1/01.)

Section 1000.3150 Verification of Ability to Pay Loan

The lender shall verify the borrower's ability to repay the loan in the case of high risk home loans. Such verification shall require, at a minimum, the following:

a) The borrower prepares and submits to the lender a personal income and expense statement in a form prescribed by the Commissioner who may permit the use of other forms such as the URJA (Pamnie Mae Form 1003 (10/92), available from Pamnie Mae, 3900 Wisconsin Avenue, NW,

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Washington, DC 20016-2892 and Freddie Mac Form 85 (10/92), available from Freddie Mac at 1101 Pennsylvania Avenue, NW, Suite 950, PO Box 37347, Washington, DC 20077-0001, no subsequent amendments or editions) and Transmittal Summary (Fannie Mae Form 1077 (3/97), available from Fannie Mae, 3900 Wisconsin Avenue, NW, Washington, DC 20016-2892 and Freddie Mac Form 1008 (2/97), available from Freddie Mac at 1101 Pennsylvania Avenue, NW, Suite 950, PO Box 37347, Washington, DC 20077-0001, no subsequent amendments or editions).

b) Income is verified by means of tax returns, pay stubs, accounting statements or other prudent means.

c) A credit report is obtained regarding the borrower.

(Source: Added at 25 Ill. Reg. 6152, effective 7/1/01.)

Section 1000.3200 Fraudulent or Deceptive Practices

No lender shall employ fraudulent or deceptive acts or practices in the making of a high risk home loan, including deceptive marketing and sales efforts.

(Source: Added at 25 Ill. Reg. 6152, effective 7/1/01.)

Section 1000.3225 Prepayment Penalty

No lender shall make a high risk home loan that includes a penalty provision for payment:

a) made after the expiration of the 36 month period following the date the loan was made; or

b) that is more than:

- 1) 3% of the total loan amount, if the prepayment is made within the first 12 month period following the date the loan was made; or
- 2) 2% of the total loan amount, if the prepayment is made within the second 12 month period after the date the loan was made; or
- 3) 1% of the total loan amount, if the prepayment is made within the third 12 month period following the date the loan was made.

(Source: Added at 25 Ill. Reg. 6152, effective 7/1/01.)

Section 1000.3250 Pre-Paid Insurance Products and Warranties

No lender shall make a high risk home loan that finances a single premium credit life, credit disability, credit unemployment, or any other life or health insurance, directly or indirectly. Insurance calculated and paid on a monthly basis shall not be considered to be financed by the lender.

(Source: Added at 25 Ill. Reg. 6152, effective 7/1/01.)

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

(Source: Added at 25 Ill. Reg. 6152, effective 7/1/01.)

Section 1000.3300 Refinancing Prohibited in Certain Cases

No lender shall refinance any high risk home loan, where such refinancing charges additional points and fees, within a 12 month period after the original loan agreement was signed, unless the refinancing results in a financial benefit to the borrower.

(Source: Added at 25 Ill. Reg. 6152, effective 7/1/01.)

Section 1000.3325 Balloon Payments

No lender shall make a high risk home loan that contains a scheduled final payment that is more than twice as large as the average of earlier scheduled monthly payments unless such balloon payment becomes due and payable at least 15 years after the loan's origination. This prohibition does not apply when the payment schedule is adjusted to account for the seasonal or irregular income of the borrower or if the purpose of the loan is a "bridge" loan connected with the acquisition or construction of a dwelling intended to become the borrower's principal dwelling.

(Source: Added at 25 Ill. Reg. 6152, effective 7/1/01.)

Section 1000.3350 Financing of Certain Points and Fees

No lender shall make a high risk home loan that finances points and fees in excess of 6% of the total loan amount.

(Source: Added at 25 Ill. Reg. 6152, effective 7/1/01.)

Section 1000.3400 Payments to Contractors

No lender shall make a payment of any proceeds of a high risk home loan to a contractor under a home improvement contract other than:

- a) by instrument payable to the borrower or jointly to the borrower and the contractor; or
- b) at the election of the borrower, by a third party escrow agent in accordance with the terms established in a written agreement signed by the borrower, the lender, and the contractor before the date of payment.

(Source: Added at 25 Ill. Reg. 6152, effective 7/1/01.)

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Section 1000.3450 Negative Amortization

No lender shall make a high risk home loan, other than a loan secured only by a reverse mortgage, with terms under which the outstanding balance will increase at any time over the course of the loan because the regular periodic payments do not cover the full amount of the interest due, unless the negative amortization is the consequence of a temporary forbearance sought by the borrower.

(Source: Added at 25 Ill. Reg. 6152, effective _____)

Section 1000.3500 Negative Equity

No lender shall make a high risk home loan where the loan amount exceeds the value of the property securing the loan plus reasonable closing costs not to exceed 5% of the total loan amount.

(Source: Added at 25 Ill. Reg. 8152, effective _____)

Section 1000.3550 Counseling Prior to Perfecting Foreclosure Proceedings

- a) In the event that a high risk home loan becomes delinquent by more than 30 days, the servicer shall send a notice advising the borrower that he or she may wish to seek consumer credit counseling.
- b) The notice required in subsection (a) shall, at a minimum, include the following language:

"YOUR LOAN IS OR WAS MORE THAN 30 DAYS PAST DUE. YOU MAY BE EXPERIENCING FINANCIAL DIFFICULTY. IT MAY BE IN YOUR BEST INTEREST TO SEEK APPROVED CONSUMER CREDIT COUNSELING. A LIST OF APPROVED CREDIT COUNSELORS MAY BE OBTAINED FROM THE ILLINOIS OFFICE OF BANKS AND REAL ESTATE."

- c) If, within 15 days after mailing the notice provided for under subsection (b), a lender or its agent is notified in writing by an approved consumer credit counselor and the approved consumer credit counselor advises the lender or its agent that the borrower is seeking approved consumer credit counseling, then the lender and its agent shall not institute legal action under Part 15 of Article XV of the Code of Civil Procedure for 30 days from the date of that notice. Only one such 30-day period of forbearance is allowed under this Section per subject loan.

- d) If, within the 30-day period provided under subsection (c), the lender or its agent, the approved consumer credit counselor, and the borrower agree to a debt management plan, then the lender and its agent shall not institute legal action under Part 15 of Article XV of the Code of

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Civil procedure for so long as the debt management plan is complied with by the borrower.

- 1) The agreed debt management plan must be in writing and signed by the lender or its agent, the approved consumer credit counselor, and the borrower. No modification of an approved debt management plan can be made without the mutual agreement of the lender or its agent, the approved consumer credit counselor, and the borrower.
- 2) Upon written notice to the lender or its agent, the borrower may change approved consumer credit counselors.
- e) If the borrower fails to comply with the agreed debt management plan, then nothing in this Subpart shall be construed to impair the legal right of the lender or its agent to enforce contracts or mortgage agreements.
- f) This Section applies only to high risk home loans as defined by Section 1000.1000.

(Source: Added at 25 Ill. Reg. 1112, effective _____)

Section 1000.3600 Mortgage Awareness Program

- a) The Mortgage Awareness Program is a counseling and educational component that is provided by the Director of the Department of Financial Institutions.
- b) The core curriculum of the Mortgage Awareness Program shall include:
- 1) Explanation of the amount financed;
 - 2) Explanation of the finance charges;
 - 3) Explanation of the annual percentage rate;
 - 4) Explanation of the total payment;
 - 5) Explanation of the loan costs, including broker's fees, finance charges, points, origination fees;
 - 6) Explanation of the right of rescission;
 - 7) Explanation of foreclosure procedures;
 - 8) Explanation of the significant debt ratios, including total debt to income, loan debt to income, and loan debt to value of residence;
 - 9) Explanation of adjustable rate mortgage;
 - 10) Explanation of balloon payments;
 - 11) Explanation of credit options;
 - 12) Explanation of each item that appears on a good faith estimate;
 - 13) Explanation of pre-payment penalties.
- c) Counseling session attendees must also complete a personal income and expense statement, as well as a balance sheet, on forms provided by the Commissioner.
- d) Prior to signing a certificate of completion, counselors shall privately discuss with each attendee that attendee's income and expense statement and balance sheet, as well as the terms of any loan

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

the attendee currently has or may be contemplating and provide a third party review to establish the affordability of the loan.

e) Counseling session attendees must also be given a brochure that contains information covered by the Mortgage Awareness Program.

f) Any lender, prior to making a high risk home loan, shall inform the borrower in writing of the right to participate in the Mortgage Awareness Program.

g) No lender shall offer less favorable loan terms to a borrower due to a borrower's participation in a Mortgage Awareness Program.

h) Except as prohibited elsewhere in this Subpart, the borrower may waive participation in the program, provided that such waiver occurs no less than 2 business days after the day that the borrower receives the written notice required by subsection (f) and that such waiver is in writing in a form approved by the Commissioner.

(Source: Added at 25 Ill. Reg. 6152--, effective 4/1/10)

Section 1000.3650 Report of Default and Foreclosure Rates on Conventional Loans

a) On or before October 1 and April 1 of each year, each association that is a servicer of Illinois residential mortgage loans shall report to the Commissioner the default and foreclosure data of conventional loans for the six month periods ending June 30 and December 31, respectively.

b) Each association shall report:

- 1) The average quarterly dollar amount of conventional 1-4 family mortgage loans secured by Illinois real estate.
- 2) The average quarterly number of conventional 1-4 family mortgage loans secured by Illinois real estate.
- 3) The average quarterly dollar amount of conventional 1-4 family mortgage loans secured by Illinois real estate that are in default over 90 days.
- 4) The average quarterly number of conventional 1-4 family mortgage loans secured by Illinois real estate that are in default over 90 days.
- 5) The dollar amount of foreclosures on 1-4 family conventional loans completed during the reporting period.
- 6) The number of foreclosures on 1-4 family conventional loans completed during the reporting period.
- 7) Whether any of the loans where a foreclosure was completed were originated less than 18 months before the completed foreclosure.
- 8) Whether any of the loans where a foreclosure was completed had a note rate greater than 10% for first lien mortgage loans or greater than 12% in the case of a junior lien.

c) An officer of the association shall sign the form.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

(Source: Added at 25 Ill. Reg. 6152--, effective 4/1/10)

Section 1000.3700 Commissioner's Review and Analysis

a) The Commissioner shall review and analyze the default and foreclosure rate data reports submitted under Section 1000.3650.

b) The reports and their analyses may be used:

- 1) In setting the scope of a regularly scheduled examination.
 - 2) In setting the scope of a special examination.
 - 3) In comparing the reported information of an association to other associations subject to this Act.
 - 4) In comparing the reported information of an association to the reports submitted by associations and charters under other Acts.
- c) The Commissioner may correspond with an association to seek clarification of information contained in its report and to gather additional data concerning loans in default or loans in foreclosure.

(Source: Added at 25 Ill. Reg. 6152--, effective 4/1/10)

Section 1000.3750 Third Party Review of High Risk Home Loans

In the case of any high risk home loan, the borrower shall be afforded the opportunity to seek independent review by the Office of Banks and Real Estate of the loan terms, in order to determine affordability of the loan, when and if the General Assembly appropriates adequate funding to the Office of Banks and Real Estate specifically for this program.

a) Every borrower who chooses to participate in the independent review provided in this Section shall submit information requested on the worksheets outlined in Appendix A and B.

b) The Office of Banks and Real Estate shall provide the borrower with a review of the worksheets and shall also inform the borrower of the amount the borrower has available for a monthly mortgage payment based upon the borrower's budget.

c) In addition, the Office of Banks and Real Estate shall review loan information pertaining to balloon payments and adjustable interest rates and other items disclosed by the loan documents affecting amount of payment and shall inform the borrower of such items.

d) The borrower shall receive a copy of the completed forms and shall sign the forms acknowledging receipt. A copy of the written and signed forms shall be submitted to the lender prior to the closing of the loan and shall become a part of the permanent file for the loan.

e) If, based upon the review, the borrower determines that the loan is not in his or her best economic interest, the reviewer shall so note this in the completed forms sent to the lender. This determination shall enable the borrower to withdraw from the contemplated loan with no financial penalty.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

(Source: Added at 25 Ill. Reg. 0152 -- effective _____)

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Section 1000. APPENDIX A. Estimated Monthly Income and Expenses Worksheet

ESTIMATED MONTHLY INCOME:

1. Paychecks (Net "Take Home") \$ _____
2. Interest/Dividends _____
3. Social Security/Pension _____
4. Alimony/Child Support _____
5. Other _____
6. Total Estimated Monthly Income \$ _____
(Add Lines 1 through 5)

ESTIMATED MONTHLY EXPENSES:

7. Mortgages/Rent \$ _____
8. Homeowner's/Renter's Insurance _____
9. Real Estate Taxes _____
10. Water & Sewer _____
11. House Repairs _____
12. Groceries _____
13. Telephone _____
14. Gas (House) _____
15. Electric _____
16. Credit Cards _____
17. Car Payments _____
18. Car Insurance _____
19. Licenses (Car) _____
20. Gas (Car) _____
21. Car Repairs/Maintenance _____
22. Clothing _____
23. Medical/Dental _____
24. Medical Insurance _____
25. Prescriptions _____
26. Loan Payments _____
(Not included in Line 7 or 17)
27. Tuition _____
28. Contributions _____
29. Cellular Telephone _____
30. Pager _____
31. Recreation/Vacation _____
32. Other Insurance (Life, etc.) _____
33. Income Taxes _____
34. Alimony/Child Support _____
35. Transportation _____
36. Miscellaneous _____
37. Other _____
38. Total Estimated Monthly Expenses \$ _____
(Add Lines 7 through 37)

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

39. *Excess/Deficit \$ _____
(Subtract Line 38 from Line 6)
- *If Line 38 is greater than Line 6, your estimated monthly expenses exceed your estimated monthly income.
- (Source: Added, at 25 Ill. Reg. 6152, effective _____)

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

Section 1000 APPENDIX B Mortgage Ratio Worksheet

Part I

LOAN-TO-VALUE RATIO

1. Mortgage Amounts \$ _____
2. Appraised Value \$ _____
3. Line 1 divided by Line 2 _____

Note: This is the percentage of the purchase price/appraised value of your home that will be allocated to your total mortgage. A percentage rate over 80% may result in you incurring additional costs.

Borrower's Signature _____

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

Part II

INCOME RATIO

MONTHLY HOUSING EXPENSES:

1. Principal and Interest Payment \$ _____
2. Homeowner's Insurance _____
3. Real Estate Tax _____
4. Mortgage Insurance Premium _____
5. Homeowner's Assoc. Fee _____
6. Ground Rents _____
7. Payments on Existing or Proposed 2nd Mortgage _____

8. Total Housing Expense (Add Lines 1 through 7) \$ _____

MONTHLY GROSS INCOME:

9. Gross Salary \$ _____
10. Dividends/Interest _____
11. Social Security/Pension _____
12. Alimony/Child Support _____
13. Other _____
14. Total Gross Income \$ _____
15. Divide Line 8 by Line 14 _____

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses.

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

Part III

LONG-TERM DEBT RATIO

MONTHLY EXPENSES:

1. Total Housing Expense (Part II, Line 8) \$ _____
2. Credit Cards _____
3. Car Payments _____
4. Loans (Not Included on Line 1 or 3) _____
5. Alimony/Child Support _____
6. Total Expenses (Lines 1 through 5) \$ _____

MONTHLY INCOME:

7. Total Gross Income (Part II, Line 14) \$ _____
8. Divide Line 6 by Line 7 _____

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses and other debt that you pay on a monthly basis.

Borrower's Signature

(Source: Added at 25 Ill. Reg. 3152, effective 9/1/11)

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Residential Mortgage License Act of 19872) Code Citation: 38 Ill. Adm. Code 10503) Section Numbers: Adopted Action:

1050.155	New
1050.190	New
1050.190	New
1050.195	New
1050.197	New
1050.198	New
1050.199	New
1050.199	New
1050.1180	New
1050.1185	New
1050.1185	New
1050.1186	New
1050.1187	New
1050.1250	Amendment
1050.1260	New
1050.1270	New
1050.1272	New
1050.1275	New
1050.1276	New
1050.1277	New
1050.1278	New
1050.1280	New
1050.1810	New
1050.1820	New
1050.1830	New
1050.1910	New
1050.1920	New
1050.2010	New
APPENDIX A	New
APPENDIX B	New

4) Statutory Authority: Implementing and authorized by the Residential Mortgage License Act of 1987 [205 ILCS 635/4-(g)]5) Effective Date of Amendments: May 17, 20016) Do these amendments contain an automatic repeal date? No7) Do these amendments contain incorporations by reference? Yes8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.9) Notice of Proposal Published in Illinois Register: 24 Ill. Reg. 18899 on December 29, 2000

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

10) Has JCAR issued a Statement of Objection to these amendments? No11) Differences between proposal and final version: As requested through public comment, changes were made to the data collection provisions for mortgage default and foreclosure and provisions covering third party review of high risk home loans. The dates for reporting and required information on mortgage default and foreclosure are changed. Under third party review provisions, the borrower, rather than the lender, will submit information on new forms added to the final version as Appendix A ("Estimated Monthly Income and Expenses Worksheet") and Appendix B (also been made to the final version as requested by JCAR and public comment).12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes13) Will these amendments replace emergency amendments currently in effect?
No14) Are there any amendments pending on this Part? No15) Summary and Purpose of Amendments: The adopted rulemaking adds new language that will clarify the terms and conditions for a defined "high risk home loan". Lenders will be required to base the loan on the borrowers' ability to repay and the lender must verify that ability. Fraudulent and deceptive practices are banned, pre-paid insurance products are banned, refinancing within a 12-month period that results in additional points and fees is limited to when there is a financial benefit to the borrower. Balloon payments are limited. Points and fees can be financed only if they are less than 8% of the loan amount. Payments made by lenders solely to contractors will no longer be allowed. Negative amortization and negative equity loans are limited to reverse mortgages. Notice of counseling is required on certain loans prior to moving the loan into a foreclosure proceeding. A Mortgage Awareness Program to counsel borrowers is established. A new report detailing default and foreclosure rates on conventional loans is required to be filed by the entity chartered or licensed. Such report may be used to initiate regulatory corrective action. A program to have the State perform third party reviews of certain loans is established subject to funding by the General Assembly. All of these features are designed to provide a comprehensive response to the high foreclosure rates that have occurred in the last two years.16) Information and questions regarding these adopted amendments shall be directed to: Jay Stevenson, Office of Banks and Real Estate
500 E. Monroe Street
Springfield IL 62701-1532

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

The full text of the adopted amendments begins on the next page:

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER II: OFFICE OF BANKS AND REAL ESTATE

PART 1050

RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

SUBPART A: DEFINITIONS

Section	
1050.110	Act
1050.115	Administrative Decision
1050.120	Assisting
1050.125	Commissioner
1050.130	Control
1050.135	Document
1050.140	Employee
1050.145	First Tier Subsidiary
1050.150	Hearing Officer
1050.155	High Risk Home Loan
1050.160	Material
1050.165	Other Regulatory Agencies
1050.170	Party
1050.175	Principal Place of Business
1050.180	Repurchase a Loan
1050.185	State
1050.190	Services
1050.195	Points and Fees
1050.197	Total Loan Amount
1050.198	Approved Credit Counselor
1050.199	Home Equity Loan

SUBPART B: FEES

Section	
1050.210	License Investigation Fees
1050.220	License Fees
1050.230	Amended License Fees -- Corporate Changes
1050.240	Duplicate Original License Fees
1050.250	Examination Fees
1050.255	Direct Expenses of Out-of-State Examinations
1050.260	Additional Full-Service Office Fees
1050.270	Hearing Fees
1050.280	Late Fees (Repealed)
1050.290	Manner of Payment

SUBPART C: LICENSING

Section

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

1050.310 Application for an Illinois Residential Mortgage License
 1050.320 Application for Renewal of an Illinois Residential Mortgage License
 1050.330 Waiver of License Fee
 1050.340 Full-Service Office
 1050.350 Additional Full-Service Office
 1050.360 Continuing Education Requirements for Certain Employees

SUBPART D: OPERATIONS AND SUPERVISION

Section
 1050.410 Net Worth
 1050.420 Line of Credit (Repealed)
 1050.425 Examination
 1050.430 Late Audit Reports
 1050.440 Escrow
 1050.450 Audit Workpapers
 1050.460 Selection of Independent Auditor
 1050.470 Proceedings Affecting a License
 1050.475 Change in Business Activities
 1050.480 Change of Ownership, Control or Name or Address of Licensee
 1050.490 Bonding Requirements

SUBPART E: ANNUAL REPORT OF MORTGAGE ACTIVITY, MORTGAGE BROKERAGE ACTIVITY AND MORTGAGE SERVICING ACTIVITY

Section
 1050.610 Filing Requirements
 1050.620 Reporting Forms
 1050.630 Annual Report of Mortgage Activity
 1050.640 Annual Report of Brokerage Activity
 1050.650 Annual Report of Servicing Activity
 1050.660 Verification

SUBPART F: FORECLOSURE RATE

Section
 1050.710 Computation of National Residential Mortgage Foreclosure Rate
 1050.720 Computation of Illinois Residential Mortgage Foreclosure Rate
 1050.730 Excess Foreclosure Rate
 1050.740 Foreclosure Rate Hearing
 1050.750 Commissioner's Authority - Unusually High Rate

SUBPART G: SERVICING

Section
 1050.810 New Loans
 1050.820 Transfer of Servicing
 1050.830 Real Property Tax and Hazard Insurance Payments

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

1050.840 Payment Processing
 1050.850 Toll-Free Telephone Arrangement
 1050.860 Payoff of Outstanding Mortgage Loan

SUBPART H: ADVERTISING

Section
 1050.910 General Prohibition
 1050.920 Definition of Advertisement
 1050.930 Compliance with Other Laws
 1050.940 Requirements
 1050.950 Misleading and Deceptive Advertising Prohibition

SUBPART I: LOAN BROKERAGE PRACTICES

Section
 1050.1010 Loan Brokerage Agreement
 1050.1020 Loan Brokerage Disclosure Statement
 1050.1030 Prohibited Practice

SUBPART J: LOAN APPLICATION PRACTICES

Section
 1050.1110 Borrower Information Document
 1050.1120 Description of Required Documentation
 1050.1130 Maintenance of Records (Repealed)
 1050.1140 Loan Application Procedures
 1050.1150 Copies of Signed Documents
 1050.1160 Confirmation of Statements
 1050.1170 Cancellation of Application
 1050.1175 Maintenance of Records
 1050.1180 Ability to Repay
 1050.1185 Verification of Ability to Pay Loan
 1050.1186 Fraudulent or Deceptive Practices
 1050.1187 Prepayment Penalty

SUBPART K: GENERAL LENDING PRACTICES

Section
 1050.1210 Notice to Joint Borrowers
 1050.1220 Inaccuracy of Disclosed Information
 1050.1230 Changes Affecting Loans in Process
 1050.1240 Prohibition of Unauthorized Lenders
 1050.1250 Good Faith Requirements
 1050.1260 Pre-paid Insurance Products and Warranties
 1050.1270 Refinancing Prohibited in Certain Cases
 1050.1272 Balloon Payments
 1050.1275 Financing of Certain Points and Fees

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

1050.1276 Payments to Contractors
1050.1277 Negative Amortization
1050.1278 Negative Equity
1050.1280 Counseling Prior to Perfecting Foreclosure Proceedings

SUBPART L: COMMITMENT AND CLOSING PRACTICES

Section
1050.1305 Approval Notice
1050.1310 Inconsistent Conditions Prohibited
1050.1315 Avoidance of Commitment
1050.1320 Charges to Seller
1050.1325 Intentional Delay
1050.1330 No Duplication to Borrower of Seller's Costs
1050.1335 Fees and Charges
1050.1340 Refunds on Failure to Close
1050.1345 Representative at Closing
1050.1350 Compliance with Other Laws
1050.1355 Failure to Close - Disclosure
1050.1360 Escrow Account Agreements at Closing

SUBPART M: EXEMPTION GUIDELINES

Section
1050.1410 General
1050.1420 Interpretative Guidelines

SUBPART N: ADMINISTRATIVE HEARING PROCEDURES

Section
1050.1510 Applicability
1050.1520 Definitions
1050.1530 Filing
1050.1540 Form of Documents
1050.1550 Computation of Time
1050.1560 Appearances
1050.1570 Request for Hearing
1050.1580 Notice of Hearing
1050.1590 Service of the Notice of Hearing
1050.1595 Bill of Particulars or Motion for More Definite Statement
1050.1600 Motion and Answer
1050.1610 Consolidation and Severance of Matters - Additional Parties
1050.1620 Intervention
1050.1630 Postponement or Continuance of Hearing
1050.1640 Authority of Hearing Officer
1050.1650 Bias or Disqualification of Hearing Officer
1050.1660 Prehearing Conferences

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

1050.1670 Discovery
1050.1680 Subpoenas
1050.1690 Conduct of Hearing
1050.1700 Default
1050.1710 Evidence
1050.1720 Hostile Witnesses
1050.1730 Record of Proceedings
1050.1740 Briefs
1050.1750 Hearing Officer's Recommendation
1050.1760 Order of the Commissioner
1050.1770 Rehearings and Reopening of Hearings
1050.1790 Costs of Hearing

SUBPART O: MORTGAGE AWARENESS PROGRAM

Section
1050.1810 General
1050.1820 Guidelines
1050.1830 Offer of Mortgage Awareness Program

SUBPART P: DEFAULT AND FORECLOSURE RATES ON CONVENTIONAL LOANS

Section
1050.1910 Report of Default and Foreclosure Rates on Conventional Loan
1050.1920 Commissioner's Review and Analysis

SUBPART Q: THIRD PARTY REVIEW OF HIGH RISK HOME LOANS

Section
1050.2010 Third Party Review of High Risk Home Loans

APPENDIX A Estimated Monthly Income and Expenses Worksheet
APPENDIX B Mortgage Ratio Worksheet

AUTHORITY: Implementing and authorized by the Residential Mortgage License Act of 1987 [205 ICS 635].

SOURCE: Filed January 18, 1974; amended at 2 Ill. Reg. 2, p. 1, effective January 16, 1978; codified at 8 Ill. Reg. 4524; amended at 9 Ill. Reg. 17393, effective October 24, 1985; Part repealed by emergency rule at 12 Ill. Reg. 3041, and new Part adopted by emergency rule at 12 Ill. Reg. 3079, effective January 13, 1988, for a maximum of 150 days; Part repealed at 12 Ill. Reg. 8683, and new Part adopted at 12 Ill. Reg. 8685, effective May 10, 1988; emergency amendment at 12 Ill. Reg. 9721, effective May 18, 1988, for a maximum of 150 days; amended at 13 Ill. Reg. 17056, effective October 20, 1989; amended at 15 Ill. Reg. 9580, effective May 28, 1991; emergency amendment at 16 Ill. Reg. 2915, effective February 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10463, effective June 23, 1992; emergency amendment at 16 Ill.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Reg. 12634, effective August 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 20179, effective December 9, 1992; amended at 17 Ill. Reg. 3513, effective March 2, 1993; transferred from Chapter III, 38 Ill. Adm. Code 450 (Commissioner of Savings and Loan Associations) to Chapter VIII, 38 Ill. Adm. Code 1050 (Commissioner of Savings and Residential Finance) pursuant to Savings Bank Act [205 ILCS 205] at 17 Ill. Reg. 4475; emergency amendment at 19 Ill. Reg. 11080, effective July 13, 1995, for a maximum of 150 days; emergency expired December 11, 1995; amended at 19 Ill. Reg. 15465, effective October 31, 1995; amended at 20 Ill. Reg. 388, effective January 1, 1996; recodified from Chapter VIII, Commissioner of Savings and Residential Finance, to Chapter II, Office of Banks and Real Estate, pursuant to PA 89-508, at 20 Ill. Reg. 12645; amended at 21 Ill. Reg. 10972, effective August 1, 1997; amended at 22 Ill. Reg. 230, effective December 19, 1997; amended at 24 Ill. Reg. 64, effective January 1, 2000; emergency amendment at 24 Ill. Reg. 19322, effective December 15, 2000, for a maximum of 150 days; emergency repealed at 25 Ill. Reg. 3696, effective January 30, 2001 in response to an objection of the Joint Committee on Administrative Rules at 25 Ill. Reg. 1857; amended at 25 Ill. Reg. 6174, effective MAY 1, 2001

SUBPART A: DEFINITIONS

Section 1050.155 High Risk Home Loan

"High risk home loan" means a home equity loan on residential real property in which:

- at the time of origination, the APR exceeds by more than 6 percentage points in the case of a first lien mortgage, or by more than 8 percentage points in the case of a junior mortgage, the yield on U.S. Treasury securities having comparable periods of maturity to the loan maturity as of the fifteenth day of the month immediately preceding the month in which the application for the loan is received by the lender; or
 - the total points and fees payable by the consumer at or before closing will exceed the greater of 5% of the total loan amount or \$800. The \$800 figure shall be adjusted annually on January 1 by the annual percentage change in the Consumer Price Index.
- However, this Part shall not apply to a loan that is made primarily for a business purpose unrelated to the residential real property securing the loan or to an open-end credit plan subject to 12 CFR 226 (2000, no subsequent amendments or editions are included).

(Source: Added at 25 Ill. Reg. 6174, effective MAY 1, 2001)

Section 1050.190 Servicer

"Home equity loan" means any loan secured by the borrower's primary residence

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

"Servicer" shall mean any entity licensed under the Act who is responsible for the collection or remittance for, or the right or obligation to collect or remit for, any lender, noteholder, or for a licensee's own account, of payments, interest, principal, and trust items such as hazard insurance and taxes on a residential mortgage loan in accordance with the terms of the residential mortgage loan; and includes loan payment follow-up, delinquency loan follow-up, loan analysis and any notifications to the borrower that are necessary to enable the borrower to keep the loan current and in good standing.

(Source: Added at 25 Ill. Reg. 6174, effective MAY 1, 2001)

Section 1050.195 Points and Fees

"Points and fees" shall mean:

- all items required to be disclosed as points and fees under 12 CFR 226.32 (2000, no subsequent amendments or editions included);
- the premium of any single premium credit life, credit disability, credit unemployment, or any other life or health insurance that is financed directly or indirectly into the loan;
- all compensation paid directly or indirectly to a mortgage broker, including a broker that originates a loan in its own name in a table funded transaction, not otherwise included in subsection (a) of this Section.

(Source: Added at 25 Ill. Reg. 6174, effective MAY 1, 2001)

Section 1050.197 Total Loan Amount

"Total loan amount" is the same as the term used in 12 CFR 226.32, and shall be calculated in accordance with the Federal Reserve Board's Official Staff Commentary to that regulation.

(Source: Added at 25 Ill. Reg. 6174, effective MAY 1, 2001)

Section 1050.198 Approved Credit Counselor

"Approved Credit Counselor" means a credit counselor as approved by the Director of the Department of Financial Institutions.

(Source: Added at 25 Ill. Reg. 6174, effective MAY 1, 2001)

Section 1050.199 Home Equity Loan

"Home equity loan" means any loan secured by the borrower's primary residence

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

where the proceeds are not used as purchase money for the residence.

(Source: Added at 25 Ill. Reg. 617 4, effective

SUBPART J: LOAN APPLICATION PRACTICES

Section 1050.1180 Ability to Repay

A lender shall not make a high risk home loan if the lender does not believe at the time the loan is consummated that the borrower or borrowers will be able to make the scheduled payments to repay the obligation based upon a consideration of their current and expected income, current obligations, employment status and other financial resources (other than the borrower's equity in the dwelling that secures repayment of the loan). A borrower shall be presumed to be able to repay the loan if, at the time the loan is consummated, or at the time of the first rate adjustment in the case of a lower introductory interest rate, the borrower's scheduled monthly payments on the loan (including principal, interest, taxes, insurance and assessments), combined with the scheduled payments for all other disclosed debts, do not exceed 50% of the borrower's monthly gross income.

(Source: Added at 25 Ill. Reg. 617 4, effective

Section 1050.1185 Verification of Ability to Pay Loan

The lender shall verify the borrower's ability to repay the loan in the case of high risk home loans. Such verification shall require, at a minimum, the following:

- a) The borrower prepares and submits to the lender a personal income and expense statement in a form prescribed by the Commissioner who may permit the use of other forms such as the URA (Fannie Mae Form 1003 (10/92), available from Fannie Mae, 3900 Wisconsin Avenue, NW, Washington, DC 20016-2892 and Freddie Mac Form 85 (10/92), available from Freddie Mac at 1101 Pennsylvania Avenue, NW, Suite 950, PO Box 37347, Washington, DC 20077-0001, no subsequent amendments or editions) and Transmittal Summary (Fannie Mae Form 1077 (3/97), available from Fannie Mae, 3900 Wisconsin Avenue, NW, Washington, DC 20016-2892 and Freddie Mac Form 1008 (3/97), available from Freddie Mac at 1101 Pennsylvania Avenue, NW, Suite 950, PO Box 37347, Washington, DC 20077-0001, no subsequent amendments or editions).
- b) Income is verified by means of tax returns, pay stubs, accounting statements or other prudent means.
- c) A credit report is obtained regarding the borrower.

(Source: Added at 25 Ill. Reg. 617 4, effective

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Section 1050.1186 Fraudulent or Deceptive Practices

No lender shall employ fraudulent or deceptive acts or practices in the making of a high risk home loan including deceptive marketing and sales efforts.

(Source: Added at 25 Ill. Reg. 617 4, effective

Section 1050.1187 Prepayment Penalty

No lender shall make a high risk home loan that includes a penalty provision for payment made:

- a) after the expiration of the 36 month period following the date the loan was made; or
- b) that is more than:
 - 1) 3% of the total loan amount, if the prepayment is made within the first 12 month period following the date the loan was made; or
 - 2) 2% of the total loan amount, if the prepayment is made within the second 12 month period after the date the loan was made; or
 - 3) 1% of the total loan amount, if the prepayment is made within the third 12 month period following the date the loan was made.

(Source: Added at 25 Ill. Reg. 617 4, effective

SUBPART K: GENERAL LENDING PRACTICES

Section 1050.1250 Good Faith Requirements

a) For the purpose of this part, "good faith" means honesty in fact in the conduct of the transaction.

b) Any disclosure or action required by the Act or this Part shall be made in good faith.

c) A licensee shall not accept a fee or charge for a residential mortgage loan application, unless the licensee is able to demonstrate to the Commissioner that if its normal residential mortgage loan requirements are met, there is a reasonable likelihood that a loan commitment will be issued for such loan for the amount, term, rate, charges and other conditions set forth in the loan application and the applicable disclosures and document required by this Part and that the loan has a reasonable likelihood of being paid by the applicant based on his/her ability to pay.

d) A licensee who has accepted an application for a loan to purchase residential real estate shall make a good faith effort to process the application within the time specified in the residential mortgage loan application.

(Source: Amended at 25 Ill. Reg. 617 4, effective

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Section 1050.1260 Pre-paid Insurance Products and Warranties

No lender shall make a high risk home loan that finances a single premium credit life, credit disability, credit unemployment, or any other life or health insurance, directly or indirectly. Insurance calculated and paid on a monthly basis shall not be considered to be financed by the lender.

(Source: Added at 25 Ill. Reg. 6174, effective 6/1/10.)

Section 1050.1270 Refinancing Prohibited in Certain Cases

No lender shall refinance any high risk home loan, whenever such refinancing charges additional points and fees, within a 12 month period after the original loan agreement was signed, unless the refinancing results in a financial benefit to the borrower.

(Source: Added at 25 Ill. Reg. 6174, effective 6/1/10.)

Section 1050.1272 Balloon Payments

No lender shall make a high risk home loan that contains a scheduled final payment that is more than twice as large as the average of earlier scheduled monthly payments unless such balloon payment becomes due and payable at least 15 years after the loan's origination. This prohibition does not apply when the payment schedule is adjusted to account for the seasonal or irregular income of the borrower or if the purpose of the loan is a "bridge" loan connected with the acquisition or construction of a dwelling intended to become the borrower's principal dwelling.

(Source: Added at 25 Ill. Reg. 6174, effective 6/1/10.)

Section 1050.1275 Financing of Certain Points and Fees

No lender shall make a high risk home loan that finances points and fees in excess of 6% of the total loan amount.

(Source: Added at 25 Ill. Reg. 6174, effective 6/1/10.)

Section 1050.1276 Payments to Contractors

No lender shall make a payment of any proceeds of a high risk home loan to a contractor under a home improvement contract other than:

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

- a) by instrument payable to the borrower or jointly to the borrower and the contractor; or
- b) at the election of the borrower, by a third party escrow agent in accordance with the terms established in a written agreement signed by the borrower, the lender, and the contractor before the date of payment.

(Source: Added at 25 Ill. Reg. 6174, effective 6/1/10.)

Section 1050.1277 Negative Amortization

No lender shall make a high risk home loan, other than a loan secured only by a reverse mortgage, with terms under which the outstanding balance will increase at any time over the course of the loan because the regular periodic payments do not cover the full amount of the interest due, unless the negative amortization is the consequence of a temporary forbearance sought by the borrower.

(Source: Added at 25 Ill. Reg. 6174, effective 6/1/10.)

Section 1050.1278 Negative Equity

No lender shall make a high risk home loan where the loan amount exceeds the value of the property securing the loan plus reasonable closing costs not to exceed 5% of the total loan amount.

(Source: Added at 25 Ill. Reg. 6174, effective 6/1/10.)

Section 1050.1280 Counseling Prior to Perfecting Foreclosure Proceedings

- a) In the event that a high risk home loan becomes delinquent by more than 30 days, the servicer shall send a notice advising the borrower that he or she may wish to seek consumer credit counseling.
- b) The notice required in subsection (a) shall, at a minimum, include the following language:

"YOUR LOAN IS OR WAS MORE THAN 30 DAYS PAST DUE. YOU MAY BE EXPERIENCING FINANCIAL DIFFICULTY. IT MAY BE IN YOUR BEST INTEREST TO SEEK APPROVED CONSUMER CREDIT COUNSELING. A LIST OF APPROVED CREDIT COUNSELORS MAY BE OBTAINED FROM THE ILLINOIS OFFICE OF BANKS AND REAL ESTATE."

- c) If, within 15 days after mailing the notice provided for under subsection (b), a lender or its agent is notified in writing by an approved consumer credit counselor and the approved consumer credit

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

counselor advises the lender or its agent that the borrower is seeking approved consumer credit counseling, then the lender and its agent shall not institute legal action under Part 15 of Article XV of the Code of Civil Procedure for 30 days from the date of that notice. Only one such 30-day period of forbearance is allowed under this Section per subject loan.

- d) If within the 30-day period provided under subsection (c) the lender or its agent, the approved consumer credit counselor, and the borrower agree to a debt management plan, then the lender and its agent shall not institute legal action under Part 15 of Article XV of the Code of Civil Procedure for so long as the debt management plan is complied with by the borrower.

1) The agreed debt management plan must be in writing and signed by the lender or its agent, the approved consumer credit counselor, and the borrower. No modification of an approved debt management plan can be made without the mutual agreement of the lender or its agent, the approved consumer credit counselor, and the borrower.

- 2) Upon written notice to the lender or its agent, the borrower may change approved consumer credit counselors.
- e) If the borrower fails to comply with the agreed debt management plan, then nothing in this Subpart shall be construed to impair the legal right of the lender or its agent to enforce contracts or mortgage agreements.

- f) This Section applies only to high risk home loans as defined by Section 1050.155.

(Source: Added at 25 Ill. Reg. 6174, effective _____)

SUBPART O: MORTGAGE AWARENESS PROGRAM

Section 1050.1810 General

The Mortgage Awareness Program is a counseling and educational component that is provided by the Director of the Department of Financial Institutions.

(Source: Added at 25 Ill. Reg. 6174, effective _____)

Section 1050.1820 Guidelines

- a) The core curriculum of the Mortgage Awareness Program shall include:

- 1) Explanation of the amount financed;
- 2) Explanation of the finance charge;
- 3) Explanation of the annual percentage rate;
- 4) Explanation of the total payment;
- 5) Explanation of the loan costs, including broker's fees, finance

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

charges, points, origination fees:

6) Explanation of the right of rescission;

7) Explanation of the foreclosure procedures;

8) Explanation of the significant debt ratios, including total debt to income, loan debt to income, and loan debt to value of residence;

- 9) Explanation of adjustable rate mortgages;

10) Explanation of balloon payments;

11) Explanation of credit options;

- 12) Explanation of each item which appears on a good faith estimate;
- 13) Explanation of pre-payment penalties.

b) Counseling session attendees must also complete a personal income and expense statement, as well as a balance sheet on forms provided by the Commissioner.

c) Prior to signing a certificate of completion, counselors shall privately discuss with each attendee that attendee's income and expense statement and balance sheet, as well as the terms of any loan the attendee currently has or may be contemplating and provide a Third Party Review to establish the affordability of the loan.

d) Counseling session attendees must also be given a brochure that contains information covered by the Mortgage Awareness Program.

(Source: Added at 25 Ill. Reg. 6174, effective _____)

Section 1050.1830 Offer of Mortgage Awareness Program

- a) Any lender, prior to making a high risk home loan, shall inform the borrower in writing of the right to participate in the Mortgage Awareness Program.

b) No lender shall offer less favorable loan terms to a borrower due to a borrower's participation in a Mortgage Awareness Program.

c) Except as prohibited elsewhere in this Part, the borrower may waive participation in the program, provided that such waiver occurs no less than 2 business days after the day that the borrower receives the written notice required by subsection (c) and that the waiver is in writing in a form approved by the Commissioner.

(Source: Added at 25 Ill. Reg. 6174, effective _____)

SUBPART P: DEFAULT AND FORECLOSURE RATES ON CONVENTIONAL LOANS

Section 1050.1910 Report of Default and Foreclosure Rates on Conventional Loans

- a) On or before October 1 and April 1 of each year, each licensee that is a servicer of Illinois residential mortgage loans shall report to the

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Commissioner the default and foreclosure data of conventional loans for the six month periods ending June 30 and December 31, respectively.

- b) Each licensee shall report:
- 1) The average quarterly dollar amount of conventional 1-4 family mortgage loans secured by Illinois real estate.
 - 2) The average quarterly number of conventional 1-4 family mortgage loans secured by Illinois real estate.
 - 3) The average quarterly dollar amount of conventional 1-4 family mortgage loans secured by Illinois real estate that are in default over 90 days.
 - 4) The average quarterly number of conventional 1-4 family mortgage loans secured by Illinois real estate that are in default over 90 days.
 - 5) The dollar amount of foreclosures on 1-4 family conventional loans completed during the reporting period.
 - 6) The number of foreclosures on 1-4 family conventional loans completed during the reporting period.
 - 7) Whether any of the loans where a foreclosure was completed were originated less than 18 months before the completed foreclosure.
 - 8) Whether any of the loans where a foreclosure was completed had a note rate greater than 10% for first lien mortgage loans or greater than 12% in the case of a junior lien.

c) An officer of the licensee shall sign the form.

(Source: Added at 25 Ill. Reg. 6174, effective 6/1/90)

Section 1050.1920 Commissioner's Review and Analysis

- a) The Commissioner shall review and analyze the default and foreclosure rate data reports submitted under Section 1050.1910.
- b) The reports and their analyses may be used:
 - 1) In setting the scope of a regularly scheduled examination.
 - 2) In setting the scope of a special examination.
 - 3) In comparing the reported information of a licensee to other licensees subject to this Act.
 - 4) In comparing the reported information of a licensee to the reports submitted by licensees and charters under other Acts.
- c) The Commissioner may correspond with a licensee to seek clarification of information contained in its report and to gather additional data concerning loans in default or loans in foreclosure.

(Source: Added at 25 Ill. Reg. 6174, effective 6/1/90)

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Section 1050.2010 Third Party Review of High Risk Home Loans

In the case of any high risk home loan, the borrower shall be afforded the opportunity to seek independent review by the Office of Banks and Real Estate of the loan terms in order to determine affordability of the loan, when and if the General Assembly appropriates adequate funding to the Office of Banks and Real Estate specifically for this program.

- a) Every borrower who chooses to participate in the independent review provided in this Section shall submit information requested on the worksheets outlined in Appendix A and B.
- b) The Office of Banks and Real Estate shall provide the borrower with a review of the worksheets and shall also inform the borrower of the amount the borrower has available for a monthly mortgage payment based upon the borrower's budget.
- c) In addition, the Office of Banks and Real Estate shall review loan information pertaining to balloon payments and adjustable interest rates and other items disclosed by the loan documents affecting amount of payment and shall inform the borrower of such items.
- d) The borrower shall receive a copy of the completed forms and shall sign the forms acknowledging receipt. A copy of the written and signed forms shall be submitted to the lender prior to the closing of the loan and shall become a part of the permanent file for the loan.
- e) If, based upon the review, the borrower determines that the loan is not in his or her best economic interest, the reviewer shall so note this in the completed forms sent to the lender. This determination shall enable the borrower to withdraw from the contemplated loan with no financial penalty.

(Source: Added at 25 Ill. Reg. 6174, effective 6/1/90)

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

Section 10-9.0, APPENDIX A, Estimated Monthly Income and Expenses Worksheet

ESTIMATED MONTHLY INCOME:

1. Paychecks (Net/"Take Home") \$ _____
2. Interest/Dividends _____
3. Social Security/Pension _____
4. Alimony/Child Support _____
5. Other _____
6. Total Estimated Monthly Income \$ _____
(Add Lines 1 through 5)

ESTIMATED MONTHLY EXPENSES:

7. Mortgages/Rent \$ _____
8. Homeowner's/Renter's Insurance _____
9. Real Estate Taxes _____
10. Water & Sewer _____
11. House Repairs _____
12. Groceries _____
13. Telephone _____
14. Gas (House) _____
15. Electric _____
16. Credit Cards _____
17. Car Payments _____
18. Car Insurance _____
19. Licenses (Car) _____
20. Gas (Car) _____
21. Car Repairs/Maintenance _____
22. Clothing _____
23. Medical/Dental _____
24. Medical Insurance _____
25. Prescriptions _____
26. Loan Payments _____
- (Not Included in Line 7 or 17)
27. Tuition _____
28. Contributions _____
29. Cellular Telephone _____
30. Pager _____
31. Recreation/Vacation _____
32. Other Insurance (Life, etc.) _____
33. Income Taxes _____
34. Alimony/Child Support _____
35. Transportation _____
36. Miscellaneous _____
37. Other _____
38. Total Estimated Monthly Expenses \$ _____
(Add Lines 7 through 37)

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

39. *Excess/Deficit \$ _____
(Subtract Line 38 from Line 6)
- *If Line 38 is greater than Line 6, your estimated monthly expenses exceed your estimated monthly income.
(Source: Added at 25 Ill. Reg. 6194, effective _____)

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

Section 10-50, APPENDIX B Mortgage Ratio Worksheet

Part I

LOAN-TO-VALUE RATIO

- 1. Mortgage Amounts \$
- 2. Appraised Value \$
- 3. Line 1 divided by Line 2

Note: This is the percentage of the purchase price/appraised value of your home that will be allocated to your total mortgage. A percentage rate over 80% may result in you incurring additional costs.

Borrower's Signature

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

Part II

INCOME RATIO

MONTHLY HOUSING EXPENSES:

- 1. Principal and Interest Payment \$
- 2. Homeowner's Insurance
- 3. Real Estate Tax
- 4. Mortgage Insurance Premium
- 5. Homeowner's Assoc. Fee
- 6. Ground Rents
- 7. Payments on Existing or Proposed 2nd Mortgage
- 8. Total Housing Expense (Add lines 1 through 7) \$

MONTHLY GROSS INCOME:

- 9. Gross Salary \$
- 10. Dividends/Interest
- 11. Social Security/Pension
- 12. Alimony/Child Support
- 13. Other
- 14. Total Gross Income \$
- 15. Divide Line 8 by Line 14

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses.

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

Part III

LONG-TERM DEBT RATIO

MONTHLY EXPENSES:

1. Total Housing Expense (Part II, Line 8) \$ _____
 2. Credit Cards _____
 3. Car Payments _____
 4. Loans _____
 5. Alimony/Child Support (Not Included on Line 1 or Line 3) _____
 6. Total Expenses (Lines 1 through 5) \$ _____
- MONTHLY INCOME:
7. Total Gross Income (Part II, Line 14) \$ _____
 8. Divide Line 6 by Line 7 _____

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses and other debt that you pay on a monthly basis.

Borrower's Signature _____

(Source: Added at 25 Ill. Reg. 6174, effective _____)

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Savings Bank Act
- 2) Code Citation: 38 Ill. Adm. Code 1075
- 3) Section Numbers: Adopted Action:
1075.3000 New
1075.3100 New
1075.3150 New
1075.3200 New
1075.3225 New
1075.3250 New
1075.3300 New
1075.3325 New
1075.3350 New
1075.3400 New
1075.3450 New
1075.3500 New
1075.3550 New
1075.3600 New
1075.3650 New
1075.3700 New
1075.3750 New
APPENDIX A New
APPENDIX B New

- 4) Statutory Authority: Implementing and authorized by the Savings Bank Act (205 ILCS 205/9002(2))

- 5) Effective Date of Amendments: May 17, 2001

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this rulemaking contain incorporations by reference? Yes

- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Notices of Proposal Published in Illinois Register: 24 Ill. Reg. 18917 on December 29, 2000

- 10) Has JCAB issued a Statement of Objection to this rulemaking? No

- 11) Differences between proposal and final version: As requested through public comment, changes were made to the data collection provisions for mortgage default and foreclosure and provisions covering third party review of high risk home loans. The dates for reporting and required information on mortgage default and foreclosure are changed. Under third

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

party review provisions, the borrower, rather than the lender, will submit information on new forms added to the final version as Appendix A ("Estimated Monthly Income and Expenses Worksheet") and Appendix B ("Mortgage Ratio Worksheet"). Numerous primarily technical changes have also been made to the final version as requested by JCAR and public comment.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rulemaking currently in effect? No

- 14) Are there any amendments pending on this Part? No

15) **Summary and Purpose of Amendments:** The adopted rulemaking adds new language that will clarify the terms and conditions for a defined "high risk home loan". Lenders will be required to base the loan on the borrowers' ability to repay and the lender must verify that ability. Fraudulent and deceptive practices are banned. Pre-paid insurance products are banned. A refinancing within a 12-month period that results in additional points and fees is limited to when there is a financial benefit to the borrower. Balloon payments are limited. Points and fees can be financed only if they are less than 6% of the loan amount. Payments made by lenders solely to contractors will no longer be allowed. Negative amortization and negative equity loans are limited to reverse mortgages. Notice of counseling is required on certain loans prior to moving the loan into a foreclosure proceeding. A Mortgage Awareness program to counsel borrowers is established. A new report detailing default and foreclosure rates on conventional loans is required to be filed by the entity chartered or licensed. Such report may be used to initiate regulatory corrective action. A program to have the State perform third party reviews of certain loans is established subject to funding by the General Assembly. All of these features are designed to provide a comprehensive response to the high foreclosure rates that have occurred in the last two years.

- 16) Information and questions regarding this adopted rulemaking shall be directed to:

Jay Stevenson
Assistant Commissioner
Office of Banks and Real Estate
500 E. Monroe Street
Springfield, IL 62701-1532
Telephone: 217/782-3000

The full text of the adopted amendments begins on the next page:

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER II: OFFICE OF BANKS AND REAL ESTATE
PART 1075
SAVINGS BANK ACT
SUBPART A: FILINGS

Section	
1075.100	Filings
1075.110	Conditions
1075.120	Examination Fees
1075.130	Supervisory Fees
1075.140	Adjusted Supervisory Fees
1075.141	Special Credit (Repealed)

SUBPART B: DEFINITIONS

Section	
1075.200	Definitions

SUBPART C: REPORTS

Section	
1075.300	Contracts
1075.310	Financial Reports

SUBPART D: OPERATIONS

Section	
1075.400	Capital Stock (Repealed)
1075.410	Minimum Capital Requirement
1075.415	Conflicting Federal Powers, Law and Regulations
1075.420	Advertising
1075.430	Maintenance of Records
1075.440	Business Plan
1075.450	Excess Insurance
1075.455	Vacancies in the Board of Directors
1075.460	Bond of Officers, Directors, Employees and Agents
1075.465	Indemnification of Officers, Directors, Employees and Agents
1075.470	Deceptively Similar Names
1075.480	Manner of Display of Annual Meeting Notice
1075.490	Procedures for Exercise of Dissenters Rights

SUBPART E: INVESTMENTS

Section	
1075.500	Prudent Person Rule

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

1075.505 Investment Underwriting Practice
1075.510 Discrimination and Redlining
1075.515 Loans Secured by Real Estate
1075.520 Construction Loans
1075.525 Mobile Home Financing (Repealed)
1075.530 Overdraft Loans
1075.535 Education Loans
1075.540 Vehicle/Automobile Loans
1075.545 Home Equity Loans
1075.550 Letter of Credit
1075.555 Other Investments
1075.560 Commercial Paper
1075.565 Financial Futures
1075.570 Financial Options
1075.575 Finance Leasing
1075.580 Suretyship
1075.585 Asset Reserves

SUBPART F: SERVICE CORPORATION AND OPERATING SUBSIDIARIES

Section
1075.600 Requirements
1075.610 Approval by the Commissioner
1075.620 Investment Limitations
1075.630 Investments by Service Corporations
1075.640 Ownership of Capital Stock of Service Corporation
1075.650 Prohibited Transactions
1075.660 Disclosure to Service Corporation
1075.670 Reporting Requirements
1075.680 Audit Requirements

SUBPART G: RELOCATIONS AND BRANCHING

Section
1075.700 General
1075.705 Application
1075.710 Request for Preliminary Determination
1075.715 Public Notice and Inspection
1075.720 Protest
1075.725 Oral Argument
1075.730 Application for the Maintenance of Branch Office after Conversion, Consolidation, Purchase of Assets or Merger
1075.735 Redesignation of Offices
1075.740 Termination of Operation and/or Closing of a Branch Office
1075.745 Agency Offices
1075.750 Remote Drive-In and/or Remote Pedestrian Facilities

SUBPART H: CAPITAL NOTES AND DEBENTURES

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS

SUBPART I: ADMINISTRATIVE HEARING PROCEDURES

Section
1075.800 Approval
1075.810 Conversion to Stock
1075.820 Priority of Claim

Section
1075.900 Applicability
1075.905 Definitions
1075.910 Early Neutral Evaluation
1075.915 Conference Adjudicative Hearing
1075.920 Filing
1075.925 Form of Documents
1075.930 Computation of Time
1075.935 Appearances
1075.940 Notice of Hearing
1075.945 Service of the Notice of Hearing
1075.950 Motion and Answer
1075.955 Consolidation and Severance of Matters-Additional Parties
1075.960 Intervention
1075.965 Postponement or Continuance of Hearing
1075.970 Authority of Hearing Officer
1075.975 Bias or Disqualification of Hearing Officer
1075.980 Prehearing Conferences
1075.985 Discovery
1075.990 Subpoenas
1075.995 Conduct of the Hearing
1075.1000 Default
1075.1005 Evidence
1075.1010 Official Notice
1075.1015 Hostile Witnesses
1075.1020 Transcription of Proceedings
1075.1025 Briefs
1075.1030 Hearing Officer's Findings, Opinions and Recommendations
1075.1035 Order of the Commissioner
1075.1040 Rehearings
1075.1045 Existing Statutory or Agency Procedures and Practices
1075.1050 Costs of Hearing
1075.1055 Emergency Adjudication

SUBPART J: SAVINGS BANK HOLDING COMPANIES

Section
1075.1100 Applicability
1075.1105 Definitions
1075.1110 Mutual Holding Company Reorganizations
1075.1115 Subsidiary Holding Company

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

1075.1815	Definitions	1075.2015	Account Holders -- Statement and Letter -- Press Release Authorized
1075.1820	Prohibition on Approval of Certain Applications for Conversion	1075.2010	Statement, Letter and Press Release -- Content Permitted
1075.1825	Requirements of Plan of Conversion	1075.2015	Statement, Letter and Press Release -- Contents
1075.1830	Issuance of Capital Stock -- Price		Prohibited -- Inquiries
1075.1835	Stock Purchase Subscription Rights -- Eligible Account Holders	1075.2020	Notices of Filing of Application -- Requests for Subscription
1075.1840	Stock Purchase Subscription Rights Received by Officers, Directors, and their Associates -- Subordination		Offering Circular
1075.1845	Supplemental Share Purchase Subscription Rights -- Supplemental	1075.2025	Filing of Notice and Affidavit of Publication Required
	Eligible Account Holder -- Conditions	1075.2030	Application Available for Public Inspection -- Confidential
1075.1850	Voting Members Who Are Not Eligible Account Holders		Information
1075.1855	Sale of Shares Not Sold in Subscription	1075.2035	Solicitation of Proxies; Proxy Statements
	Offering -- Methods -- Conditions	1075.2040	Vote by Members
1075.1860	Uniform Sales Price of Shares Required -- Application to Specify	1075.2045	Offers and Sales of Securities -- Prohibitions
	Arrangements on Sale of Shares Not Sold in Subscription Offering	1075.2050	Distribution of Offering Circulars Authorized
1075.1865	Savings Account Holder to Receive Withdrawable Savings	1075.2055	Preliminary Offering Circular for Subscription
	Account(s) -- Amount		Offering -- Estimated Subscription Price Range Required
1075.1870	Liquidation Account -- Establishment and Maintenance Required	1075.2060	Review of Price Information by Commissioner
1075.1875	Establishment of Eligibility Record Date Required	1075.2065	Underwriting Commission
1075.1880	Voting Rights	1075.2070	Consideration of Pricing Information by Commissioner -- Guidelines
1075.1885	Amendment and Termination of Plan of Conversion	1075.2075	Submission of Information by Applicant
1075.1890	Restriction on Sale of Shares of Stock by Directors and Officers	1075.2080	Subscription Offering -- Distribution of Order Forms for the
1075.1895	Conditions on Shares of Stock Subject to Restriction on Sale		Purchase of Shares
1075.1900	Registration of Securities -- Marketing of Securities -- Listing of	1075.2085	Order Forms -- Final Offering Circular and Detailed Instructions
	Shares on Securities Exchange or NASDAQ Quotation System	1075.2090	Subscription Price
1075.1905	Reasonable Expenses Required	1075.2095	Order Form -- Contents
1075.1910	Employee Stock Benefit Plan -- Priority	1075.2100	Order Form -- Additional Provision Authorized -- Payment by
1075.1915	Employee Stock Benefit Plan -- Contributions		Withdrawal
1075.1920	Plan of Conversion -- Prohibited Provisions	1075.2105	Time Period for Completion of Sale of all Shares of Capital Stock
1075.1925	Optional Provisions in Plan of Conversion	1075.2110	Continuity of Corporate Existence
1075.1930	Approval of Other Provisions	1075.2115	Application to Furnish Information
1075.1935	Amount of Qualifying Deposit of Eligible Account Holder or	1075.2120	Additional Filing Requirements
	Supplemental Eligible Account Holder	1075.2125	Availability for Conferences in Advance of Filing of Application --
1075.1940	Liquidation Account -- Establishment Required -- Amount -- Function		Refusal of Prefiling Review
1075.1945	Liquidation Account -- Maintenance Required -- Subaccounts	1075.2130	Appeal from Refusal to Approve Application
1075.1950	Liquidation Account -- Distribution Upon Complete Liquidation	1075.2135	Postconversion Reports
1075.1955	Liquidation Account -- Determination of Subaccount Balances	1075.2140	Certain Agreement to Transfer and Transfers of Ownership in Rights
1075.1960	Reduction of Subaccount Balance		or Securities Prohibited
1075.1965	Converted Savings Bank Prohibited from Repurchasing its Stock	1075.2145	Certain Offers and Announcements on Securities Prohibited
	Without Approval	1075.2150	Certain Offers and Acquisitions Prohibited
1075.1970	Limitation on Cash Dividends	1075.2155	Definitions -- Certain Transfers, Offers and Acquisitions
1075.1975	Dividends on Preferred Stock		Prohibited
1075.1980	Prohibitions on Offer, Sale, or Purchase of Securities	1075.2160	Amendments to Charter Required in Application -- Articles of
1075.1985	Acquisitions of Control of a Converted Savings Bank		Incorporation -- Filing of Certificate
1075.1990	Articles of Incorporation -- Restrictions Permitted		Required -- Contents -- Issuance and Filing of Authorization
1075.1995	Confidentiality of Consideration to Convert -- Remedial Measures	1075.2165	Certificate
	for Breach		Conversion Incident to Acquisition by Savings Bank Holding Company
1075.2000	Public Statement Authorized		or Merger or Consolidation with Savings Bank Holding Company
1075.2005	Adoption of Plan of Conversion -- Notice to and Inspection by		Subsidiary -- Restriction on Sale of Shares of Stock by Directors
			and Officers

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

OFFICE OF BANKS AND REAL ESTATE

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

1075.2170 Sale of Control in Connection with the Conversion of a Mutual Savings Bank to Capital Stock Savings Bank - Undercapitalized Mutual Savings Bank

1075.2175 Conversion of a Savings Bank in Connection with the Formation of a Holding Company

1075.2200 Application -- Application Requirements

1075.2210 Application -- Filing the Application and Fees

1075.2220 Application -- Preparing the Application

1075.2230 Application -- Application Contents

1075.2240 Application -- Application Exhibits

1075.2300 Proxy Statement -- Information Required in Conversion Proxy Statement

1075.2310 Proxy Statement -- Notice of Meeting

1075.2320 Proxy Statement -- Revocability of Proxy

1075.2330 Proxy Statement -- Persons Making the Solicitations

1075.2340 Proxy Statement -- Voting Rights and Vote Required for Approval

1075.2350 Proxy Statement -- Directors and Executive Officers

1075.2360 Proxy Statement -- Management Remuneration

1075.2370 Proxy Statement -- Business of the Applicant

1075.2380 Proxy Statement -- Description of the Plan of Conversion

1075.2390 Proxy Statement -- Description of Capital Stock

1075.2400 Proxy Statement -- Capitalization

1075.2410 Proxy Statement -- Use of New Capital

1075.2420 Proxy Statement -- New Charter, Bylaws, or Other Documents

1075.2430 Proxy Statement -- Other Matters

1075.2440 Proxy Statement -- Financial Statements

1075.2450 Proxy Statement -- Consents of Experts and Reports

1075.2460 Proxy Statement -- Attachments

1075.2500 Offering Circular -- Certain Manner of Presentation of Required Information Prohibited

1075.2510 Offering Circular -- Certain Named Persons -- Filing of Written Consent Required

1075.2520 Offering Circular -- Information Required

1075.2530 Offering Circular -- Additional Current Information Required

1075.2540 Offering Circular -- Statement Required in Offering Circulars

1075.2550 Offering Circular -- Preliminary Offering Circular

1075.2560 Offering Circular -- Information with Respect to Exercise of Subscription Rights

1075.2570 Offering Circular -- Information with Respect to Public Offering or Direct Community Offering

1075.2580

1075.3200 Fraudulent or Deceptive Practices

1075.3225 Prepayment Penalty

1075.3250 Pre-paid Insurance Products and Warranties

1075.3300 Refinancing Prohibited in Certain Cases

1075.3325 Ballloon Payments

1075.3350 Financing of Certain Points and Fees

1075.3400 Payments to Contractors

1075.3450 Negative Amortization

1075.3500 Negative Equity

1075.3550 Counseling Prior to Perfecting Foreclosure Proceedings

1075.3600 Mortgage Awareness Program

1075.3650 Report of Default and Foreclosure Rates on Conventional Loans

1075.3700 Commissioner's Review and Analysis

1075.3750 Third Party Review of High Risk Home Loans

APPENDIX A Estimated Monthly Income and Expenses Worksheet

APPENDIX B Mortgage Ratio Worksheet

AUTHORITY: Implementing and authorized by the Savings Bank Act [205 ILCS 205].

SOURCE: Emergency Rules adopted at 14 Ill. Reg. 15029, effective September 4, 1990, for a maximum of 150 days; adopted at 15 Ill. Reg. 1916, effective January 25, 1991; amended at 16 Ill. Reg. 4891, effective March 16, 1992; amended at 17 Ill. Reg. 8894, effective June 7, 1993; expedited correction at 17 Ill. Reg. 18223, effective June 7, 1993; emergency amendment adopted at 18 Ill. Reg. 7016, effective April 22, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 15094, effective September 26, 1994; emergency amendment at 19 Ill. Reg. 10277, effective June 29, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15474, effective October 31, 1995; recodified from Chapter VIII, Commissioner of Savings and Residential Finance, to Chapter II, Office of Banks and Real Estate, pursuant to PA 89-508, at 20 Ill. Reg. 12645; amended at 21 Ill. Reg. 6719, effective March 30, 1998; amended at 24 Ill. Reg. 73, effective January 1, 2000; emergency amendment at 24 Ill. Reg. 6986, effective April 24, 2000, for a maximum of 150 days; emergency expired on September 20, 2000; amended at 24 Ill. Reg. 15026, effective September 26, 2000; emergency amendment at 24 Ill. Reg. 19331, effective December 15, 2000, for a maximum of 150 days; emergency amendment repealed at 25 Ill. Reg. 3698, effective January 30, 2001 in response to an objection of the Joint Commission on Administrative Rules at 25 Ill. Reg. 1839; amended at 25 Ill. Reg. 0197 -- effective

SUBPART P: HIGH RISK HOME LOANS

SUBPART P: HIGH RISK HOME LOANS

Section 1075.3000 Definitions

1075.3000 Definitions

1075.3100 Ability to Repay

1075.3150 Verification of Ability to Pay Loan

"Approved Credit Counselor" means a credit counselor as approved by the Director of the Department of Financial Institutions.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

"Good faith" means honesty in fact in the conduct of the transaction.

"High risk home loan" means a home equity loan on residential real property in which:

at the time of origination, the APR exceeds by more than 6 percentage points in the case of a first lien mortgage, or by more than 8 percentage points in the case of a junior mortgage, the yield on U.S. Treasury securities having comparable periods of maturity to the loan maturity as of the fifteenth day of the month immediately preceding the month in which the application for the loan is received by the lender; or

the total points and fees payable by the consumer at or before closing will exceed the greater of 3% of the total loan amount or \$800. The \$800 figure shall be adjusted annually on January 1 by the annual percentage change in the Consumer Price Index.

However this Subpart shall not apply to a loan that is made primarily for a business purpose unrelated to the residential real property securing the loan or to an open-end credit plan subject to 12 CFR 226 (2000), no subsequent amendments or editions are included).

"Home equity loan" means any loan secured by the borrower's primary residence where the proceeds are not to be used as purchase money for the residence.

"Points and fees" means:

all items required to be disclosed as points and fees under 12 CFR 226.32 (2000), no subsequent amendments or editions included; the premium of any single premium credit life, credit disability, credit unemployment, or any other life or health insurance that is financed directly or indirectly into the loan;

all compensation paid directly or indirectly to a mortgage broker, including a broker that originates a loan in its own name in a table funded transaction, not otherwise included in 12 CFR 226.4.

"Servicer" means any entity chartered under the Act who is responsible for the collection or remittance for, or the right or obligation to collect or remit for, any lender, notowner, noteholder, or for a licensee's own account, of payments, interests, principal, and trust items such as hazard insurance and taxes on a residential mortgage loan in accordance with the terms of the residential mortgage loan; and includes loan payment follow-up, delinquency loan follow-up, loan

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

analysis and any notifications to the borrower that are necessary to enable the borrower to keep the loan current and in good standing.

"Total loan amount" is the same as the term used in 12 CFR 226.32, and shall be calculated in accordance with the Federal Reserve Board's Official Staff Commentary to that regulation.

(Source: Added at 25 Ill. Reg. 6199, effective

Section 1075.3100 Ability to Repay

A lender shall not make a high risk home loan if the lender does not believe at the time the loan is consummated that the borrower or borrowers will be able to make the scheduled payments to repay the obligation based upon a consideration of their current and expected income, current obligations, employment status and other financial resources [other than the borrower's equity in the dwelling that secures repayment of the loan]. A borrower shall be presumed to be able to repay the loan if, at the time the loan is consummated, or at the time of the first rate adjustment in the case of a lower introductory interest rate, the borrower's scheduled monthly payments on the loan (including principal, interest, taxes, insurance and assessments), combined with the scheduled payments for all other disclosed debts, do not exceed 50% of the borrower's monthly gross income.

(Source: Added at 25 Ill. Reg. 3199, effective

Section 1075.3150 Verification of Ability to Pay Loan

The lender shall verify the borrower's ability to repay the loan in the case of high risk home loans. Such verification shall require, at a minimum, the following:

- The borrower prepares and submits to the lender a personal income and expense statement in a form prescribed by the Commissioner who may limit the use of other forms such as the URLA (Fannie Mae Form 1003 (10/92)), available from Fannie Mae, 3900 Wisconsin Avenue, NW, Washington, DC 20016-2892 and Freddie Mac Form 85 (10/92), available from Freddie Mac at 1101 Pennsylvania Avenue, NW, Suite 950, PO Box 37347, Washington, DC 20077-0001, no subsequent amendments or editions) and Transmittal Summary (Fannie Mae Form 1077 (3/97)), available from Fannie Mae, 3900 Wisconsin Avenue, NW, Washington, DC 20016-2892 and Freddie Mac Form 1008 (3/97), available from Freddie Mac at 1101 Pennsylvania Avenue, NW, Suite 950, PO Box 37347, Washington, DC 20077-0001, no subsequent amendments or editions).
- Income is verified by means of tax returns, pay stubs, accounting statements or other prudent means.
- A credit report is obtained regarding the borrower.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

(Source: Added at 25 Ill. Reg. 61 97, effective 4/1/11.)

Section 1075.3200 Fraudulent or Deceptive Practices

No lender shall employ fraudulent or deceptive acts or practices in the making of a high risk home loan, including deceptive marketing and sales efforts.

(Source: Added at 25 Ill. Reg. 61 97, effective 4/1/11.)

Section 1075.3225 Prepayment Penalty

No lender shall make a high risk home loan that includes a penalty provision for payment made:

- a) after the expiration of the 36 month period following the date the loan was made; or
- b) that is more than:
 - 1) 3% of the total loan amount, if the prepayment is made within the first 12 month period following the date the loan was made; or
 - 2) 2% of the total loan amount, if the prepayment is made within the second 12 month period after the date the loan was made; or
 - 3) 1% of the total loan amount, if the prepayment is made within the third 12 month period following the date the loan was made.

(Source: Added at 25 Ill. Reg. 61 97, effective 4/1/11.)

Section 1075.3250 Pre-paid Insurance Products and Warranties

No lender shall make a high risk home loan that finances a single premium credit life, credit disability, credit unemployment, or any other life or health insurance, directly or indirectly, insurance calculated and paid on a monthly basis shall not be considered to be financed by the lender.

(Source: Added at 25 Ill. Reg. 61 97, effective 4/1/11.)

Section 1075.3300 Refinancing Prohibited in Certain Cases

No lender shall refinance any high risk home loan whenever such refinancing charges additional points and fees, within a 12 month period after the original loan agreement was signed, unless the refinancing results in a financial benefit to the borrower.

(Source: Added at 25 Ill. Reg. 61 97, effective 4/1/11.)

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Section 1075.3325 Balloon Payments

No lender shall make a high risk home loan that contains a scheduled final payment that is more than twice as large as the average of earlier scheduled monthly payments unless such balloon payment becomes due and payable at least 15 years after the loan's origination. This prohibition does not apply when the payment schedule is adjusted to account for the seasonal or irregular income of the borrower or if the purpose of the loan is a "bridge" loan connected with the acquisition or construction of a dwelling intended to become the borrower's principal dwelling.

(Source: Added at 25 Ill. Reg. 61 97, effective 4/1/11.)

Section 1075.3350 Financing of Certain Points and Fees

No lender shall make a high risk home loan that finances points and fees in excess of 6% of the total loan amount.

(Source: Added at 25 Ill. Reg. 61 97, effective 4/1/11.)

Section 1075.3400 Payments to Contractors

No lender shall make a payment of any proceeds of a high risk home loan to a contractor under a home improvement contract other than:

- a) by instrument payable to the borrower or jointly to the borrower and the contractor; or
- b) at the election of the borrower, by a third party escrow agent in accordance with the terms established in a written agreement signed by the borrower, the lender, and the contractor before the date of payment.

(Source: Added at 25 Ill. Reg. 61 97, effective 4/1/11.)

Section 1075.3450 Negative Amortization

No lender shall make a high risk home loan, other than a loan secured only by a reverse mortgage, with terms under which the outstanding balance will increase at any time over the course of the loan because the regular periodic payments do not cover the full amount of the interest due, unless the negative amortization is the consequence of a temporary forbearance sought by the borrower.

(Source: Added at 25 Ill. Reg. 61 97, effective 4/1/11.)

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Section 1075.3500 Negative Equity

No lender shall make a high risk home loan where the loan amount exceeds the value of the property securing the loan plus reasonable closing costs not to exceed 5% of the total loan amount.

(Source: Added at 25 Ill. Reg. 6197, effective _____)

Section 1075.3550 Counseling Prior to Perfecting Foreclosure Proceedings

- a) In the event that a high risk home loan becomes delinquent by more than 30 days, the servicer shall send a notice advising the borrower that he or she may wish to seek consumer credit counseling.
- b) The notice required in subsection (a) shall, at a minimum, include the following language:

"YOUR LOAN IS OR WAS MORE THAN 30 DAYS PAST DUE. YOU MAY BE EXPERIENCING FINANCIAL DIFFICULTY. IT MAY BE IN YOUR BEST INTEREST TO SEEK APPROVED CONSUMER CREDIT COUNSELING. A LIST OF APPROVED CREDIT COUNSELORS MAY BE OBTAINED FROM THE ILLINOIS OFFICE OF BANKS AND REAL ESTATE."

- c) If, within 15 days after mailing the notice provided for under subsection (b), a lender or its agent is notified in writing by an approved consumer credit counselor and the approved consumer credit counselor advises the lender or its agent that the borrower is seeking approved consumer credit counseling, then the lender is seeking shall not institute legal action under Part 15 of Article XV of the Code of Civil Procedure for 30 days from the date of that notice. Only one such 30-day period of forbearance is allowed under this Section per subject loan.

- d) If, within the 30-day period provided under subsection (c) the lender or its agent, the approved consumer credit counselor, and the borrower agree to a debt management plan, then the lender and its agent shall not institute legal action under Part 15 of Article XV of the Code of Civil Procedure for so long as the debt management plan is complied with by the borrower.

- 1) The agreed debt management plan must be in writing and signed by the lender or its agent, the approved consumer credit counselor, and the borrower. No modification of an approved debt management plan can be made without the mutual agreement of the lender or its agent, the approved consumer credit counselor, and the borrower.

- 2) Upon written notice to the lender or its agent, the borrower may change approved consumer credit counselors.

- e) If the borrower fails to comply with the agreed debt management plan, then nothing in this Subpart shall be construed to impair the legal

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

right of the lender or its agent to enforce contracts or mortgage agreements.

- f) This Section applies only to high risk home loans as defined by Section 1075.3000.

(Source: Added at 25 Ill. Reg. 5197, effective _____)

Section 1075.3600 Mortgage Awareness Program

- a) The Mortgage Awareness Program is a counseling and educational component that is provided by the Director of the Department of Financial Institutions.

- b) The core curriculum of the Mortgage Awareness Program shall include:

- 1) Explanation of the amount financed;
- 2) Explanation of the finance charge;
- 3) Explanation of the annual percentage rate;
- 4) Explanation of the total payments;
- 5) Explanation of the loan costs, including broker's fees, finance charges, points, origination fees;
- 6) Explanation of the right of rescission;
- 7) Explanation of the foreclosure procedures;
- 8) Explanation of the significant debt ratios, including total debt to income, loan debt to income, and loan debt to value of residence;
- 9) Explanation of adjustable rate mortgage;
- 10) Explanation of balloon payments;
- 11) Explanation of credit options;
- 12) Explanation of each item which appears on a good faith estimate;
- 13) Explanation of pre-payment penalties.

- c) Counseling session attendees must also complete a personal income and expense statement and a balance sheet, on forms provided by the Commissioner.

- d) Prior to signing a certificate of completion, counselors shall privately discuss with each attendee that attendee's income and expense statement and balance sheet, as well as the terms of any loan the attendee currently has or may be contemplating, and provide a Third Party Review to establish the affordability of the loan.

- e) Counseling session attendees must also be given a brochure that contains information covered by the Mortgage Awareness Program.

- f) Any lender, prior to making a high risk home loan, shall inform the borrower in writing of the right to participate in the Mortgage Awareness Program.

- g) No lender shall offer less favorable loan terms to a borrower due to a borrower's participation in a Mortgage Awareness Program.

- h) Except as prohibited elsewhere in this Subpart, the borrower may waive participation in the program, provided that such waiver occurs no less than 2 business days after the day that the borrower receives the

OFFICE OF BANKS AND REAL ESTATE

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

written notice required by subsection (f) and that the waiver is in writing in a form approved by the Commissioner.

(Source: Added at 25 Ill. Reg. 6197, effective 6/1/97.)

Section 1075.3650 Report of Default and Foreclosure Rates on Conventional Loans

- a) On or before October 1 and April 1 of each year, each savings bank that is a servicer of Illinois residential mortgage loans shall report to the Commissioner the default and foreclosure data of conventional loans for the six month periods ending June 30 and December 31, respectively.
- b) Each savings bank shall report:
 - 1) The average quarterly dollar amount of conventional 1-4 family mortgage loans secured by Illinois real estate.
 - 2) The average quarterly number of conventional 1-4 family mortgage loans secured by Illinois real estate.
 - 3) The average quarterly dollar amount of conventional 1-4 family mortgage loans secured by Illinois real estate that are in default over 90 days.
 - 4) The average quarterly number of conventional 1-4 family mortgage loans secured by Illinois real estate that are in default over 90 days.
 - 5) The dollar amount of foreclosures on 1-4 family conventional loans completed during the reporting period.
 - 6) The number of foreclosures on 1-4 family conventional loans completed during the reporting period.
 - 7) Whether any of the loans where a foreclosure was completed were originated less than 18 months before the completed foreclosure.
 - 8) Whether any of the loans where a foreclosure was completed had a note rate greater than 10% for first lien mortgage loans or greater than 12% in the case of a junior lien.
- c) An officer of the savings bank shall sign the form.

(Source: Added at 25 Ill. Reg. 6197, effective 6/1/97.)

Section 1075.3700 Commissioner's Authority - Unusually High Rate on Conventional Loans

- a) The Commissioner shall review and analyze the default and foreclosure rate data reports submitted under Section 1075.3650.
- b) The reports and their analyses may be used:
 - 1) In setting the scope of a regularly scheduled examination.
 - 2) In setting the scope of a special examination.
 - 3) In comparing the reported information of a savings bank to other

savings banks subject to this Act.

- 4) In comparing the reported information of a savings bank to the reports submitted by savings banks and charters under other Acts.
- 5) The Commissioner may correspond with a savings bank to seek clarification of information contained in its report and to gather additional data concerning loans in default or loans in foreclosure.

(Source: Added at 25 Ill. Reg. 6197, effective 6/1/97.)

Section 1075.3750 Third Party Review of High Risk Home Loans

In the case of any high risk home loan, the borrower shall be afforded the opportunity to seek independent review by the Office of Banks and Real Estate, of the loan terms, in order to determine affordability of the loan, when and if the General Assembly appropriates adequate funding to the Office of Banks and Real Estate specifically for this program.

- a) Every borrower who chooses to participate in the independent review provided in this Section shall submit information requested on the worksheets outlined in Appendix A and B.
- b) The Office of Banks and Real Estate shall provide the borrower with a review of the worksheets and shall also inform the borrower of the amount the borrower has available for a monthly mortgage payment based upon the borrower's budget.
- c) In addition, the Office of Banks and Real Estate shall review loan information pertaining to balloon payments and adjustable interest rates and other items disclosed by the loan documents affecting amount of payment and shall inform the borrower of such items.
- d) The borrower shall receive a copy of the completed forms and shall sign the forms acknowledging receipt. A copy of the written and signed forms shall be submitted to the lender prior to the closing of the loan and shall become a part of the permanent file for the loan.
- e) If, based upon the review, the borrower determines that the loan is not in his or her best economic interest, the reviewer shall so not this in the completed forms sent to the lender. This determination shall enable the borrower to withdraw from the contemplated loan with no financial penalty.

(Source: Added at 25 Ill. Reg. 6197, effective 6/1/97.)

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Section 1075, APPENDIX A Estimated Monthly Income and Expenses Worksheet**ESTIMATED MONTHLY INCOME:**

1. Paychecks (Net/"Take Home") \$ _____
2. Interest/Dividends _____
3. Social Security/Pension _____
4. Alimony/Child Support _____
5. Other _____
6. Total Estimated Monthly Income \$ _____
(Add Lines 1 through 5)

ESTIMATED MONTHLY EXPENSES:

7. Mortgages/Rent \$ _____
8. Homeowner's/Renter's Insurance _____
9. Real Estate Taxes _____
10. Water & Sewer _____
11. House Repairs _____
12. Groceries _____
13. Telephone _____
14. Gas (House) _____
15. Electric _____
16. Credit Cards _____
17. Car Payments _____
18. Car Insurance _____
19. Licenses (Car) _____
20. Gas (Car) _____
21. Car Repairs/Maintenance _____
22. Clothing _____
23. Medical/Dental _____
24. Medical Insurance _____
25. Prescriptions _____
26. Loan Payments _____
- (Not included in Line 7 or 17)
27. Tuition _____
28. Contributions _____
29. Cellular Telephone _____
30. Pager _____
31. Recreation/Vacation _____
32. Other Insurance (Life, etc.) _____
33. Income Taxes _____
34. Alimony/Child Support _____
35. Transportation _____
36. Miscellaneous _____
37. Other _____
38. Total Estimated Monthly Expenses \$ _____
(Add Lines 7 through 37)

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

39. *Excess/Deficit \$ _____
(Subtract Line 38 from Line 6)

*If Line 38 is greater than Line 6, your estimated monthly expenses exceed your estimated monthly income.

(Source: Added at 25 Ill. Reg. 619, effective _____)

OFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTS**Section 1075.APPENDIX B Mortgage Ratio Worksheet**Part ILOAN-TO-VALUE RATIO1. Mortgage Amounts \$ _____2. Appraised Value \$ _____3. Line 1 divided by Line 2 _____

Note: This is the percentage of the purchase price/appraised value of your home that will be allocated to your total mortgage. A percentage rate over 80% may result in you incurring additional costs.

Borrower's SignatureOFFICE OF BANKS AND REAL ESTATE
NOTICE OF ADOPTED AMENDMENTSPart IIINCOME RATIOMONTHLY HOUSING EXPENSES:1. Principal and Interest Payment \$ _____2. Homeowner's Insurance _____3. Real Estate Tax _____4. Mortgage Insurance Premium _____5. Homeowner's Assoc. Fee _____6. Ground Rents _____7. Payments on Existing or Proposed
2nd Mortgage _____8. Total Housing Expense \$ _____
(Add Lines 1 through 7)MONTHLY GROSS INCOME:9. Gross Salary \$ _____10. Dividends/Interest _____11. Social Security/Pension _____12. Alimony/Child Support _____13. Other _____14. Total Gross Income \$ _____15. Divide Line 8 by Line 14 _____

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

Part III

LONG-TERM DEBT RATIO

MONTHLY EXPENSES:

1. Total Housing Expense (Part II, Line 8) \$ _____

2. Credit Cards _____

3. Car Payments _____

4. Loans _____

(Not Included on Line 1 or Line 3)

5. Alimony/Child Support _____

6. Total Expenses \$ _____

(Lines 1 through 5)

MONTHLY INCOME:

7. Total Gross Income \$ _____

(Part II, Line 14)

8. Divide Line 6 by Line 7 _____

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses and other debt that you pay on a monthly basis.

Borrower's Signature _____

(Source: Added at 25 Ill. Reg. 6197, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

1) Heading of the Part: State Vehicles and Garage2) Code Citation: 44 Ill. Adm. Code 50403) Section Numbers: 5040.350
Adopted Action: Amended4) Statutory Authority: Implementing Sections 405-280, 405-285 and 405-215 of the Department of Central Management Services Law [20 ILCS 405/405-280, 405-285 and 405-215] and authorized by Section 405-280 of the Department of Central Management Services Law [20 ILCS 405/405-280]5) Effective Date of Amendment: April 27, 20016) Does this rulemaking contain an automatic repeal date? No7) Does this amendment contain incorporations by reference? No8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.9) Date Notice of Proposal Published in Illinois Register: February 9, 2001;
25 Ill. Reg. 220410) Has JCAR issued a Statement of Objection to the amendment? No11) Differences between proposal and final version: None12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were necessary.13) Will this amendment replace an emergency amendment currently in effect?
No14) Are there any amendments pending on this Part? No15) Summary and Purpose of amendment: This rulemaking clarifies the requirements relating to proper use of State vehicles.16) Information and questions regarding this adopted amendment shall be directed to:
Stephen W. Seiple
Dept. of Central Management Services 217/782-9669
720 Stratton Office Building
Springfield, IL 62706

The full text of the adopted amendment begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

NOTICE OF ADOPTED AMENDMENT

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND PROPERTY MANAGEMENT

SUBTITLE D: PROPERTY MANAGEMENT

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

SUBPART E: MISCELLANEOUS

PART 5040	
STATE VEHICLES AND GARAGE	
SUBPART A: GENERAL	
Section	
5040.100	Authority
5040.110	Policy
5040.120	Applicability
5040.130	Definitions

SUBPART B: ACQUISITION	
Section	
5040.200	Acquisition of Vehicles
5040.210	Fuel Economy Standards
5040.220	Availability of Vehicles
5040.230	Agency Purchase
5040.240	Motor Pool Lease or Rental
5040.250	Private Firm Lease or Rental
5040.260	Use of Personal Vehicles on State Business
5040.270	Requests for Acquisition of Vehicles

SUBPART C: USE OF VEHICLES	
Section	
5040.300	Use of Vehicles
5040.310	Title and Registration
5040.320	License Plates
5040.330	Identification of Vehicles
5040.340	Assignment to Individuals
5040.350	Authorized Use Off-Duty-Use-and-Personal-Use
5040.360	Use and Condition Review
5040.370	Exceptions to Use Rules
5040.380	Motor Pool

SUBPART D: MAINTENANCE	
Section	
5040.400	Maintenance of Vehicles
5040.410	Scheduled Inspection and Maintenance
5040.420	DCMS Garages
5040.430	Warranty Work

AUTHORITY: Implementing Sections 405-280, 405-285, and 405-215 of the Department of Central Management Services Law [20 ILCS 405/405-280, 405-285, and 405-215] and Sections 1 and 2 of the State Vehicle Identification Act [30 ILCS 610/1 and 2] and authorized by Section 405-280 of the Department of Central Management Services Law [20 ILCS 405/405-280].

SOURCE: Adopted at 4 Ill. Reg. 28, P. 173, effective July 1, 1980; amended at 4 Ill. Reg. 30, p. 1225, effective July 1, 1980, by the Department of Administrative Services; transferred to the Department of Central Management Services by Executive Order 82-1, effective July 1, 1982; amended at 7 Ill. Reg. 2483, effective March 1, 1983; codified at 8 Ill. Reg. 8180; amended at 9 Ill. Reg. 13720, effective August 21, 1985; amended at 13 Ill. Reg. 13829, effective August 22, 1989; amended at 15 Ill. Reg. 7553, effective May 7, 1991; amended at 19 Ill. Reg. 14774, effective October 5, 1993; amended at 25 Ill. Reg. ~~6221~~ 6221, effective ~~_____~~ _____.

SUBPART C: USE OF VEHICLES

Section 5040.350 Authorized Use ~~Off-Duty-Use-and-Personal-Use~~

a) State-owned vehicles shall only be used for public purposes and in the best interests of the State. When performing official duties on behalf of the State, authorized uses include:

1) travel between places of State business, places of temporary lodging, places to obtain meals, and/or other locations necessary to perform official duties;

2) travel to/from places to obtain emergency medical assistance or supplies;

3) transport of:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

- A) other State officers or employees who are on official State business;
- B) consultants or contractors working on behalf of the State;
- C) commercial firm representatives working with the State;
- D) wards of the State;
- E) residents of State facilities or institutions; and
- F) others as authorized in writing by an agency head.
- 4) transport of materials, equipment, supplies, tools, parcels, luggage, or other items necessary or required to perform official duties;
- 5) operation of a State vehicle by a State contractor when required to meet the needs of a State contract and when authorized in writing by an agency head;
- 6) operation of a State vehicle when on a travel-related assignment (including, but not limited to, pick-up and return of a vehicle and necessary commuting);
- 7) commuting in an assigned vehicle when one of the conditions set forth in Section 5040.340 of this Part is met and the employee has complied with:
- the certification requirements of Section 7-601 of the Illinois Vehicle Code [625 ILCS 5/7-601]; and
 - all applicable reporting requirements of the Office of the Comptroller;
- 8) operation of a specially equipped vehicle where a State official or employee is required to have constant access to the equipment in the vehicle (for purposes of this Section, "specially equipped vehicle" means a vehicle equipped with communications equipment regularly used to transmit over a network of the Emergency Management Agency); and
- 9) any other use when for public purposes and in the best interests of the State, and authorized in writing by an agency head.
- b) Unauthorized use of a State-owned vehicle includes, but is not limited to:
- transportation for shopping, meals, entertainment, recreation or vacation purposes unrelated to the performance of official State business;
 - transport of any person for any purpose unrelated to official State business;
 - operation of a vehicle beyond the vehicle's rated capability;
 - transport of materials, equipment, supplies, tools, parcels, luggage, or other items unrelated to the performance of official State business;
 - transport of hazardous or dangerous materials such as acids, explosives, weapons, ammunition, or highly flammable materials unless authorized in writing by an agency head or in an emergency;
 - transport of items or equipment that may constitute an obstruction of safe driving or hazard to pedestrians or other

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

- vehicles; and
- 7) any use in violation of applicable statute, rule, or executive order.
- c) Any employee or official using a State vehicle in a manner contrary to this Section shall be personally responsible for and assume the risk of:
- personal injury to the employee/official and to third parties; and
 - damage to the property of the employee/official, the State, and third parties.
- d) Agencies are responsible for establishing written policies and procedures to ensure all vehicle use is in accordance with this Section. In the event of a violation of this Section, the user's agency head:
- is responsible for instituting corrective action, which may include discipline up to and including discharge; and
 - shall require and verify the user has paid the State for each mile or fractional mile of unauthorized use. Payment to the State shall be equal to the amount reimbursed to State employees for the use of personal vehicles (see 80 Ill. Adm. Code 3000.309(f)(2)).
- e) Agencies may establish policies consistent with or more restrictive than the rules set forth in this Section.
- f) Any State-owned vehicle not assigned to a specific employee shall not be used for the transportation of the State employee between that employee's office and the employee's home, unless one or more of the following conditions are met:
- when the employee using the vehicle has a travel assignment that begins or ends at the employee's home;
 - when the employee using the vehicle must begin or end a travel assignment outside normal State working hours;
 - when it is in the best interest of the State and approved by the employee's agency head;
- h) State-owned vehicles assigned or not assigned shall not be used for transportation to restaurants, shopping centers, etc., unless the transportation is related to the performance of State duties, or otherwise incident to the employee's duties:
- shall pay to the State for each mile or fractional mile of personal use the amount which the State reimburses employees for official travel (see 80 Ill. Adm. Code 3000.308(f)(2));
 - does so solely at the risk of the employee and any personal injury or property damage to the employee, to State property, or to the person or property of others is the personal responsibility of the employee;
 - may be subject to disciplinary action up to and including discharge; Factors which would mitigate against discipline include:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

- A) ~~the personal-use was unavoidable--due to an emergency?~~
 B) ~~the personal-use was of a brief duration and incident to the employee's duties?~~
 C) ~~the personal-use was for a purpose that could not have been accomplished outside normal business hours?~~
 D) ~~the personal-use did not result in the employee's departure from the route that--otherwise--have been--taken--to perform business duties.~~

(Source: Amended at 25 Ill. Reg. 6221, effective 11/1/01.)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Consumer Installment Loan Act
 2) Code Citation: 38 Ill. Adm. Code 110
 3) Section Numbers:
 110.500 Adopted Action:
 110.501 New Section
 110.505 New Section
 110.510 New Section
 110.515 New Section
 110.520 New Section
 110.525 New Section
 110.530 New Section
 110.535 New Section
 110.540 New Section
 110.545 New Section
 110.550 New Section
 110.555 New Section
 110.560 New Section
 110.565 New Section
 110.570 New Section
 110.575 New Section
 110.580 New Section
 APPENDIX A New Section
 APPENDIX B New Section

- 4) Statutory Authority: 205 ILCS 670/22
 5) Effective Date of Amendments: May 17, 2001
 6) Does this rulemaking contain an automatic repeal date? No
 7) Do these amendments contain incorporations by reference? Yes
 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
 9) Notices of Proposal Published in Illinois Register: December 29, 2000, 25 Ill. Reg. 18942
 10) Has JCARE issued a Statement of Objection to these amendments? No
 11) Differences between proposal and final version:
 At Section 190.500, add definition of Approved Credit Counselor as follows: "Approved Credit Counselor means a credit counselor as approved by the Director of the Department of Financial Institutions.".

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

At Section 190.500, the definition of "points and fees", "under 12 CFR 226.5" is changed to "as points and fees under 12 CFR 226.32".

At Section 190.500, the definition of "points and fees", 12 CFR 226.5" is changed to "12 CFR 226.4".

At Section 190.520, "refinanced loan was originated" is changed to "original loan agreement was signed".

At Section 190.530, "equity of the property securing the loan" is changed to "value of the property securing the loan, plus reasonable closing costs not to exceed 5% of the total loan amount".

At Section 190.555(a), "The lender, with information provided by the borrower, prepares" is changed to "The borrower prepares and submits to the lender".

At Section 190.580, delete all language and add:

"In the case of each subject loan, upon approval of the loan application, the lender shall advise the borrower in writing of the opportunity to seek independent review of the loan terms in order to determine affordability of the loan. When and if the General Assembly appropriates adequate funding to the Department of Financial Institutions specifically for this Program:

a) Every borrower who chooses to participate in the independent review provided in this subpart shall submit information requested on the worksheets, which are made a part of this rule in Appendix A and Appendix B.

b) The Department shall provide the borrower with a review of the worksheets and inform the borrower of the amount the borrower has available for a monthly mortgage payment based upon the borrower's budget. The Department shall also provide a projection of the payments required under the terms of the loan based upon a review of loan information pertaining to balloon payments, adjustable interest rates and other items disclosed by the loan documents affecting the amount of payment.

c) The borrower shall receive a copy of the completed forms and shall sign the forms acknowledging receipt. A copy of the written and signed forms shall be submitted to the lender prior to the closing of the loan, and shall become a part of the permanent file for the loan.

d) If, based upon the review, the borrower determines that the loan is not in his or her best economic interest, the reviewer shall so note this in the completed forms sent to the lender. This determination

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

shall enable the borrower to withdraw from the contemplated loan with no financial penalty."

At the end of the Part, added Appendix A and Appendix B worksheets.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these amendments replace emergency amendments currently in effect? No

14) Are there any amendments pending on this Part? Yes

Sections Numbers:	Proposed Action:	Illinois Register Citation:
110.300	New Section	25 Ill. Reg. 18942
110.410	New Section	25 Ill. Reg. 18942
110.411	New Section	25 Ill. Reg. 18942
110.412	New Section	25 Ill. Reg. 18942
110.413	New Section	25 Ill. Reg. 18942
110.414	New Section	25 Ill. Reg. 18942
110.415	New Section	25 Ill. Reg. 18942
110.416	New Section	25 Ill. Reg. 18942
110.417	New Section	25 Ill. Reg. 18942
110.418	New Section	25 Ill. Reg. 18942
110.419	New Section	25 Ill. Reg. 18942
110.420	New Section	25 Ill. Reg. 18942

15) Summary and Purpose of Amendments: The rules provide consumer protection for certain defined mortgage lending activity. The rules apply to certain non-purchase money mortgage loans with interest and/or fees above defined threshold levels.

16) Information and questions regarding these adopted amendments shall be directed to:

Sarah D. Vega, Director
Department of Financial Institutions
100 W. Randolph, 15-700
Chicago IL 60601
312-814-2000

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS

CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

PART 110

CONSUMER INSTALLMENT LOAN ACT

SUBPART A: GENERAL PROVISIONS

Section	
110.1	Definitions
110.10	Minimum Requirements for Office Records
110.15	Application for License
110.20	Loan Register
110.30	Individual Account Records
110.40	File of Original Papers
110.50	Cash Book
110.60	Alphabetical Record of Co-Makers, Obligors
110.65	Permanent File
110.70	Payments
110.80	Simple Interest Loans
110.90	Cancellation and Return of Documents
110.100	Finance Charges - Rebates and Delinquency Charges
110.110	Hypothecation at the Time of the Sale of Obligor's Notes
110.120	Legal Forms
110.130	Judgments
110.140	Sale of Security
110.150	Trouble File
110.160	Lien Charges
110.170	Insurance
110.180	Office and Office Hours
110.190	Advertising
110.200	Other business
110.210	Examination Remittances
110.215	Document Preparation Fee
110.220	Credit Practices
110.225	Verification of Amount Owed
110.230	General
110.235	Relocation
110.240	Hearing Procedures
110.250	Limited Purpose Branch
110.260	Off-Site Records
110.265	Servicing of Accounts by Contract

SUBPART B: MORTGAGE LENDING

110.500	Definitions
110.505	Applicability of Rule
110.510	Good Faith Requirements

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

FRAUDULENT OR DECEPTIVE PRACTICES

110.515	Fraudulent or Deceptive Practices
110.520	Prohibited Refinances
110.525	Negative Amortization
110.530	Negative Equity
110.535	Balloon Payments
110.540	Financing of Certain Points and Fees
110.545	Financing of Single Premium Insurance Products
110.550	Lending Without Due Regard to Ability to Repay
110.555	Verification of Ability to Repay
110.560	Payments to Contractors
110.565	Counseling Prior to Perfecting Foreclosure
110.570	Mortgage Awareness Program
110.575	Offer of Mortgage Awareness Program
110.580	Third Party Review

APPENDIX A Estimated Monthly Income and Expenses Worksheet

TABLE A	Mortgage Ratio Worksheet
	Illinois Rule of 78 Fraction for Rebating Charges According to Number of Months Originally Contracted For and Number of Months Prepaid in Full for Contracts of 2 to 120 Months (Repealed)
TABLE B	Rule of 78 Percentage Rebate Table (Repealed)

AUTHORITY: Implementing and authorized by Section 22 of the Consumer Installment Loan Act [205 ILCS 670/22].

SOURCE: Filed and effective June 19, 1970; amended at 3 Ill. Reg. 24, p. 16, effective June 15, 1979; emergency amendment at 4 Ill. Reg. 5, p. 372, effective January 16, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 36, p. 138, effective September 22, 1980; amended at 5 Ill. Reg. 1352, effective February 3, 1981; codified at 7 Ill. Reg. 11721; amended at 9 Ill. Reg. 1343, effective January 17, 1985; amended at 11 Ill. Reg. 2749, effective January 28, 1987; emergency amendment at 11 Ill. Reg. 14141, effective August 7, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 10456, effective June 7, 1988; amended at 19 Ill. Reg. 44, effective December 22, 1994; amended at 20 Ill. Reg. 5799, effective April 8, 1996; emergency amendment at 22 Ill. Reg. 1485, effective January 2, 1998, for a maximum of 150 days; emergency expired May 31, 1998; amended at 22 Ill. Reg. 13657, effective July 14, 1998; amended at 25 Ill. Reg. 5227, effective 7/1/01.

SUBPART B: MORTGAGE LENDING

Section 110.500 Definitions

"Approved Credit Counselor" means a credit counselor as approved by the Director of the Department of Financial Institutions.

"Good faith" means honesty in fact in the conduct of the transaction.

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

"Home equity loan" means any loan secured by the borrower's primary residence where the proceeds are not used as purchase money for the residence.

"Points and fees" means:

all items required to be disclosed as points and fees under 12 CFR 226.32 (2000, no subsequent amendments or editions included);

the premium of any single premium credit life, credit disability, credit unemployment, or any other life or health insurance that is financed directly or indirectly into the loan;

all compensation paid directly or indirectly to a mortgage broker, including a broker that originates a loan in its own name in a tablefunded transaction, not otherwise included in 12 CFR 226.4.

"Subject loan" is the term used to describe any loan to which this Subpart applies pursuant to Section 110.505 of this Part.

"Total loan amount" is the same as the term used in 12 CFR 226.32, and shall be calculated in accordance with the Federal Reserve Board's Official Staff Commentary to that regulation.

(Source: Added, at 25 Ill. Reg. 6227, effective _____)

Section 110.505 Applicability of Rule

This Subpart shall apply to a home equity loan in which:

a) At the time of origination, the APR exceeds by more than 6 percentage points in the case of a first lien mortgage, or by more than 8 percentage points in the case of a junior mortgage, the yield on U.S. Treasury securities having comparable periods of maturity to the loan maturity as of the fifteenth day of the month immediately preceding the month in which the application for the loan is received by the lender; or

b) The total points and fees payable by the consumer at or before closing will exceed the greater of 5% of the total loan amount or \$800. The \$800 figure shall be adjusted annually on January 1 by the annual percentage change in the Consumer Price Index.

However, these rules shall not apply to a loan that is made primarily for a business purpose unrelated to the residential real property securing the loan and to an open-end credit plan subject to 12 CFR 226 (2000, no subsequent amendments or editions are included).

(Source: Added at 25 Ill. Reg. 6227, effective _____)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

Section 110.510 Good Faith Requirements

- a) Any disclosure or action required by this Subpart shall be made in good faith.
- b) No lender shall accept a fee or charge for a subject loan application unless the licensee is able to demonstrate to the Director that, if its subject loan requirements are met, there is a reasonable likelihood that a loan commitment will be issued for such loan for the amount, term, rate, charges and other conditions set forth in the loan application and the applicable disclosures and documents required and that the loan has a reasonable likelihood of being repaid by the applicant.
- c) A lender who has accepted an application for a subject loan shall make a good faith effort to process the application within the time specified in the loan application.

(Source: Added at 25 Ill. Reg. 6227, effective _____)

Section 110.515 Fraudulent or Deceptive Practices

a) No lender shall employ fraudulent or deceptive acts or practices in the making of a subject loan, including deceptive marketing and sales efforts.

b) No lender shall make a subject loan that includes a penalty provision for prepayment made:

1) after the expiration of the 36 month period following the date the loan was made; or

2) that is more than:

A) 3% of the total loan amount, if the prepayment is made within the first 12 month period following the date the loan was made; or

B) 2% of the total loan amount, if the prepayment is made within the second 12 month period after the date the loan was made; or

C) 1% of the total loan amount, if the prepayment is made within the third 12 month period following the date the loan was made.

(Source: Added at 25 Ill. Reg. 6227, effective _____)

Section 110.520 Prohibited Refinances

No lender shall refinance any subject loan, where such refinancing charges additional points and fees, within a 12 month period after the original loan

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

agreement was signed, unless the refinancing results in a financial benefit to the borrower.

(Source: Added at 25 Ill. Reg. 6227, effective _____)

Section 110.535 Negative Amortization

No lender shall make a subject loan, other than a loan secured only by a reverse mortgage, with terms under which the outstanding balance will increase at any time over the course of the loan because the regular periodic payments do not cover the full amount of the interest due, unless the negative amortization is the consequence of a temporary forbearance sought by the borrower.

(Source: Added at 25 Ill. Reg. 6227, effective _____)

Section 110.530 Negative Equity

No lender shall make a subject loan where the loan amount exceeds the value of the property securing the loan, plus reasonable closing costs not to exceed 5% of the total loan amount.

(Source: Added at 25 Ill. Reg. 6227, effective _____)

Section 110.535 Balloon Payments

No lender shall make a subject loan that contains a scheduled final payment that is more than twice as large as the average of earlier scheduled monthly payments unless such balloon payment becomes due and payable at least 15 years after the loan's origination. This prohibition does not apply when the payment schedule is adjusted to account for the seasonal or irregular income of the borrower or if the purpose of the loan is a "bridge" loan connected with the acquisition or construction of a dwelling intended to become the borrower's principal dwelling.

(Source: Added at 25 Ill. Reg. 6227, effective _____)

Section 110.540 Financing of Certain Points and Fees

No lender shall make a subject loan that finances points and fees in excess of 6% of the total loan amount.

(Source: Added at 25 Ill. Reg. 6227, effective _____)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

Section 110.545 Financing of Single Premium Insurance Products

No lender shall make a subject loan, which finances a single premium credit life, credit disability, credit unemployment, or any other life or health insurance, directly or indirectly, insurance previously calculated and paid on a monthly basis shall not be considered to be financed by the lender.

(Source: Added at 25 Ill. Reg. 6227, effective _____)

Section 110.550 Lending Without Due Regard to Ability to Repay

No lender shall make a subject loan if the lender does not believe at the time the loan is consummated that the borrower or borrowers will be able to make the scheduled payments to repay the obligation based upon a consideration of their current and expected income, current obligations, employment status and other financial resources (other than the borrower's equity in the dwelling that secures repayment of the loan). A borrower shall be presumed to be able to repay the loan if, at the time the loan is consummated, or at the time of the first rate adjustment in the case of a lower introductory interest rate, the borrower's scheduled monthly payments on the loan (including principal, interest, taxes, insurance and assessments), combined with the scheduled payments for all other disclosed debts, do not exceed 50% of the borrower's monthly gross income.

(Source: Added at 25 Ill. Reg. 6227, effective _____)

Section 110.555 Verification of Ability to Repay

No lender shall make a subject loan prior to verifying the borrower's ability to repay the loan. Such verification shall require, at a minimum, the following:

- The borrower prepares and submits to the lender a personal income and expense statement in a form prescribed by the Director.
- Income is verified by means of tax returns, pay stubs, accounting statements or other prudent means.
- A credit report is obtained regarding the borrower.

(Source: Added at 25 Ill. Reg. 6227, effective _____)

Section 110.560 Payments to Contractors

No lender shall make a payment of any proceeds of a subject loan to a contractor under a home improvement contract other than:

- by instrument payable to the borrower or jointly to the borrower and the contractor; or

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

- b) at the election of the borrower, by a third party escrow agent in accordance with the terms established in a written agreement signed by the borrower, the lender, and the contractor before the date of payment.

(Source: Added at 25 Ill. Reg. 6227, effective _____)

Section 110.565 Counseling Prior to Perfecting Foreclosure

- a) In the event that a subject loan becomes delinquent by more than 30 days, the lender shall send a notice advising the borrower of the availability of consumer credit counseling.
- b) The notice required under subsection (a) shall, at a minimum, include the following language notice:

"YOUR LOAN IS OR WAS MORE THAN 30 DAYS PAST DUE. YOU MAY BE EXPERIENCING FINANCIAL DIFFICULTY. IT MAY BE IN YOUR BEST INTEREST TO SEEK APPROVED CONSUMER CREDIT COUNSELING. A LIST OF APPROVED CREDIT COUNSELORS MAY BE OBTAINED FROM THE DEPARTMENT OF FINANCIAL INSTITUTIONS AT 1-888-238-8089."

- c) If, within 15 days after mailing the notice provided for under subsection (b), a lender or its agent is notified in writing by an approved consumer credit counselor that the borrower is seeking approved consumer credit counseling, then the lender and its agent shall not institute legal action under Part 15 of Article XV of the Code of Civil Procedure for 30 days from the date of that notice. Only one such 30-day period of forbearance is allowed under this Section per subject loan.

- d) If within the 30-day period provided under subsection (c), the lender or its agent, the approved consumer credit counselor, and the borrower agree to a debt management plan, then the lender and its agent shall not institute legal action under Part 15 of the Article XV of the Code of Civil Procedure for as long as the debt management plan is complied with by the borrower.

1) The agreed debt management plan must be in writing and signed by the lender or its agent, the approved consumer credit counselor, and the borrower. The lender or its agent, the approved consumer credit counselor, and the borrower may modify the debt management plan.

2) Upon written notice to the lender or its agent, the borrower may change approved consumer credit counselors.

- e) If the borrower fails to comply with the agreed debt management plan, then nothing in this Subpart shall be construed to impair the legal right of the lender or its agent to enforce contracts or mortgage agreements.

- f) This Section applies only to subject loans as defined in Section

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

110.500.
(Source: Added at 25 Ill. Reg. 6227, effective _____)

Section 110.570 Mortgage Awareness Program

- a) The Mortgage Awareness Program is a counseling and educational program that is provided by the Director.

b) The minimum requirements for the core curriculum of the Mortgage Awareness Program shall include:

- 1) Explanation of the amount financed;
 - 2) Explanation of the finance charge;
 - 3) Explanation of the annual percentage rate;
 - 4) Explanation of the total payments;
 - 5) Explanation of the loan costs including broker's fees, finance charges, points, origination fees and all other charges and fees;
 - 6) Explanation of any right of rescission;
 - 7) Explanation of foreclosure procedures;
 - 8) Explanation of the debt ratio, including total debt to income ratio, loan debt to income ratio, and loan debt to value of residence;
 - 9) Explanation of adjustable rate mortgage;
 - 10) Explanation of balloon payments;
 - 11) Explanation of credit options;
 - 12) Explanation of each item that appears on the good faith estimate;
 - 13) Explanation of pre-payment penalties.
- c) Counseling session attendees must also complete a personal income and expense statement, as well as a balance sheet, on forms provided by the Director.

- d) Prior to issuing a certificate of completion, counselors shall privately meet and discuss with each attendee that attendee's income and expense statement and balance sheet, as well as the terms of any loan the attendee currently has or is contemplating.

e) Counseling session attendees must also be provided with a brochure that contains information covered by the Mortgage Awareness Program.

(Source: Added at 25 Ill. Reg. 6227, effective _____)

Section 110.575 Offer of Mortgage Awareness Program

- a) Any lender, prior to making a subject loan, shall inform the borrower in writing of the right to participate in the Mortgage Awareness Program.
- b) No lender shall offer less favorable loan terms to a borrower due to a borrower's participation in a Mortgage Awareness Program.
- c) The borrower may waive participation in the program, provided that

DEPARTMENT OF FINANCIAL INSTITUTIONS
NOTICE OF ADOPTED AMENDMENTS

such waiver occurs no less than 2 business days after the day that the borrower receives the written notice required by subsection (a) and that such waiver is in writing in a form approved by the Director.

(Source: Added at 25 Ill. Reg. 622.7, effective 6/1/14)

Section 110.580 Third Party Review

In the case of each subject loan, upon approval of the loan application, the lender shall advise the borrower in writing of the opportunity to seek independent review of the loan terms in order to determine affordability of the loan. When and if the General Assembly appropriates adequate funding to the Department of Financial Institutions specifically for this program:

- Every borrower who chooses to participate in the independent review provided in this subpart shall submit information requested on the worksheets outlined in Appendix A and B.
- The Department shall provide the borrower with a review of the worksheets and inform the borrower of the amount the borrower has available for a monthly mortgage payment based upon the borrower's budget. The Department shall also provide a projection of the payments required under the terms of the loan based upon a review of loan information pertaining to balloon payments, adjustable interest rates and other items disclosed by the loan documents affecting the amount of payment.
- The borrower shall receive a copy of the completed forms and shall sign the forms acknowledging receipt. A copy of the written and signed forms shall be submitted to the lender prior to the closing of the loan and shall become a part of the permanent file for the loan.
- If, based upon the review, the borrower determines that the loan is not in his or her best economic interest, the reviewer shall so note this in the completed forms sent to the lender. This determination shall enable the borrower to withdraw from the contemplated loan with no financial penalty.

(Source: Added at 25 Ill. Reg. 622.7, effective 6/1/14)

DEPARTMENT OF FINANCIAL INSTITUTIONS
NOTICE OF ADOPTED AMENDMENTS

Section 110. APPENDIX A. Estimated Monthly Income and Expenses Worksheet

ESTIMATED MONTHLY INCOME:

1. Paychecks (Net/"Take Home") \$ _____
2. Interest/Dividends _____
3. Social Security/Pension _____
4. Alimony/Child Support _____
5. Other _____
6. Total Estimated Monthly Income _____
(Add Lines 1 through 5)

ESTIMATED MONTHLY EXPENSES:

7. Mortgages/Rent \$ _____
8. Homeowner's/Renter's Insurance _____
9. Real Estate Taxes _____
10. Water & Sewer _____
11. House Repairs _____
12. Groceries _____
13. Telephone _____
14. Gas (House) _____
15. Electric _____
16. Credit Cards _____
17. Car Payments _____
18. Car Insurance _____
19. Licenses (Car) _____
20. Gas (Car) _____
21. Car Repairs/Maintenance _____
22. Clothing _____
23. Medical/Dental _____
24. Medical Insurance _____
25. Prescriptions _____
26. Loan Payments _____
(Not included in Line 7 or 17)
27. Tuition _____
28. Contributions _____
29. Cellular Telephone _____
30. Pager _____
31. Recreation/Vacation _____
32. Other Insurance (Life, etc.) _____
33. Income Taxes _____
34. Alimony/Child Support _____
35. Transportation _____
36. Miscellaneous _____
37. Other _____
38. Total Estimated Monthly Expenses _____
(Add Lines 7 through 37)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

39. *Excess/Deficit (Subtract Line 38 from Line 6) \$ _____

*If Line 38 is greater than Line 6, your estimated monthly expenses exceed your estimated monthly income.

(Source: Added at 25 Ill. Reg. 622.0; effective _____)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

Section 110.APPENDIX B Mortgage Ratio Worksheet

Part I

LOAN-TO-VALUE RATIO

1. Mortgage Amount(s) \$ _____

2. Appraised Value \$ _____

3. Line 1 divided by Line 2 _____

Note: This is the percentage of the purchase price/appraised value of your home that will be allocated to your total mortgage. A percentage rate over 80% may result in you incurring additional costs.

Borrower's Signature _____

DEPARTMENT OF FINANCIAL INSTITUTIONS
NOTICE OF ADOPTED AMENDMENTS

Part III

LONG-TERM DEBT RATIO

MONTHLY EXPENSES:

1. Total Housing Expense (Part II, Line 8) \$ _____
2. Credit Cards _____
3. Car Payments _____
4. Loans (Not Included on Line 1 or Line 3) _____
5. Alimony/Child Support _____
6. Total Expenses (Lines 1 through 5) \$ _____

MONTHLY INCOME:

7. Total Gross Income (Part II, Line 14) \$ _____
8. Divide Line 6 by Line 7 _____

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses and other debt that you pay on a monthly basis.

Borrower's Signature

(Source: Added _____ at 25 Ill. Reg. ~~0227-2~~ effective _____)

DEPARTMENT OF FINANCIAL INSTITUTIONS
NOTICE OF ADOPTED AMENDMENTS

Part II

INCOME RATIO

MONTHLY HOUSING EXPENSES:

1. Principal and Interest Payment \$ _____
2. Homeowner's Insurance _____
3. Real Estate Tax _____
4. Mortgage Insurance Premium _____
5. Homeowner's Assoc. Fee _____
6. Ground Rents _____
7. Payments on Existing or Proposed 2nd Mortgage _____
8. Total Housing Expense (Add Lines 1 through 7) \$ _____

MONTHLY GROSS INCOME:

9. Gross Salary \$ _____
10. Dividends/Interest _____
11. Social Security/Pension _____
12. Alimony/Child Support _____
13. Other _____
14. Total Gross Income \$ _____
15. Divide Line 8 by Line 14 _____

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses.

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

1) **Heading of the Part:** Illinois Credit Union Act

2) **Code Citation:** 38 Ill. Adm. Code 190

3) **Section Numbers:** **Adopted Action:**
 190.500 New Section
 190.501 New Section
 190.505 New Section
 190.510 New Section
 190.515 New Section
 190.520 New Section
 190.525 New Section
 190.530 New Section
 190.535 New Section
 190.540 New Section
 190.545 New Section
 190.550 New Section
 190.555 New Section
 190.560 New Section
 190.565 New Section
 190.570 New Section
 190.575 New Section
 190.580 New Section
 APPENDIX A New Section
 APPENDIX B New Section

4) **Statutory Authority:** 205 ILCS 305/8

5) **Effective Date of Amendments:** May 17, 2001

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Do these amendments contain incorporations by reference?** Yes

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) **Notices of Proposal Published in Illinois Register:** December 29, 2000, 25 Ill. Reg. 10953

10) **Has JCAR issued a Statement of Objection to these amendments?** No

11) **Differences between proposal and final version:**

At Section 190.500, added definition of Approved Credit Counselor as follows: "Approved Credit Counselor means a credit counselor as approved by the Director of the Department of Financial Institutions."

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

In Section 190.500, the definition of "points and fees", "12 CFR 226.5" is changed to "as points and fees under 12 CFR 226.32" and "12 CFR 226.5" is changed to "12 CFR 226.4"

At Section 190.520, "refinanced loan was originated" is changed to "original loan agreement was signed".

At Section 190.530, "equity of the property securing the loan" is changed to "value of the property securing the loan, plus reasonable closing costs not to exceed 5% of the total loan amount".

At Section 190.155(a), "The lender, with information provided by the borrower, prepares" is changed to "The borrower, prepares and submits to the lender,".

At Section 190.580, delete all language and add:

"In the case of each subject loan, upon approval of the loan application, the lender shall advise the borrower in writing of the opportunity to seek independent review of the loan terms in order to determine affordability of the loan. When and if the General Assembly appropriates adequate funding to the Department of Financial Institutions specifically for this program:

a) Every borrower who chooses to participate in the independent review provided in this subpart shall submit information requested on the worksheets, which are made a part of this rule in Appendix A and Appendix B.

b) The Department shall provide the borrower with a review of the worksheets and inform the borrower of the amount the borrower has available for a monthly mortgage payment based upon the borrower's budget. The Department shall also provide a projection of the payments required under the terms of the loan based upon a review of loan information pertaining to balloon payments, adjustable interest rates and other items disclosed by the loan documents affecting the amount of payment.

c) The borrower shall receive a copy of the completed forms and shall sign the forms acknowledging receipt. A copy of the written and signed forms shall be submitted to the lender prior to the closing of the loan, and shall become a part of the permanent file for the loan.

d) If, based upon the review, the borrower determines that the loan is not in his or her best economic interest, the reviewer shall so note this in the completed forms sent to the lender. This determination shall enable the borrower to withdraw from the contemplated loan with

DEPARTMENT OF FINANCIAL INSTITUTIONS
NOTICE OF ADOPTED AMENDMENTS

- no financial penalty."
- At the end of the Part, add Appendix A and Appendix B worksheet forms.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace emergency amendments currently in effect?
- | No | Section |
|--|--|
| 14) Are there any amendments pending on this Part? No | 190.5 |
| 15) Summary and Purpose of Amendments: The rules provide consumer protection for certain defined mortgage lending activity. The rules apply to certain non-purchase money mortgage loans with interest and/or fees above defined threshold levels. | 190.10
190.20
190.30
190.40
190.50
190.60
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190.100
190.110
190.120
190.130
190.140
190.150
190.160
190.165
190.170
190.180
190.190
190.200 |
| 16) Information and questions regarding these adopted amendments shall be directed to: | |

Sarah D. Vega, Director
Dept. of Financial Institutions
100 W. Randolph, 15-700
Chicago IL 60601
312-814-2000

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF FINANCIAL INSTITUTIONS
NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER 1: DEPARTMENT OF FINANCIAL INSTITUTIONS
PART 190
ILLINOIS CREDIT UNION ACT
SUBPART A: GENERAL PROVISIONS

Section	
190.5	Credit Union Service Organizations
190.10	Field of Membership Procedures
190.20	Hearings
190.30	Cease and Desist Procedures
190.40	Removal or Suspension Procedures
190.50	Fees
190.60	General Accounting Procedures
190.70	Loan Loss Accounting Procedures
190.80	Use of Electronic Data Processing
190.90	Fixed Asset Investments
190.100	Classes of Share and Special Purpose Share Accounts
190.110	Share Drafts
190.120	Bond and Insurance Requirements
190.130	Verification of Share and Loan Accounts
190.140	Real Estate Lending
190.150	Reverse Mortgage
190.160	Lending Limits - Other Than First Mortgage Loans
190.165	Business Loans
190.170	Group Purchasing
190.180	Investments
190.190	Liquidation
190.200	Conversion of Charter

SUBPART B: HIGH RISK HOME LOANS

Section	
190.500	Definitions
190.505	Applicability of Rule
190.510	Good Faith Requirements
190.515	Fraudulent or Deceptive Practices
190.520	Prohibited Refinances
190.525	Negative Amortization
190.530	Negative Equity
190.535	Balloon Payments
190.540	Financing of Certain Points and Fees
190.545	Financing of Single Premium Insurance Products
190.550	Lending Without Due Regard to Ability to Repay
190.555	Verification of Ability to Repay
190.560	Payments to Contractors

DEPARTMENT OF FINANCIAL INSTITUTIONS
NOTICE OF ADOPTED AMENDMENTS

190.565 Counseling Prior to Perfecting Foreclosure
190.570 Mortgage Awareness Program
190.573 Offer of Mortgage Awareness Program
190.580 Third Party Review

APPENDIX A Estimated Monthly Income and Expenses Worksheet
APPENDIX B Mortgage Ratio Worksheet

AUTHORITY: Implementing and authorized by the Illinois Credit Union Act (205 ILCS 3051).

SOURCE: Adopted at 4 Ill. Reg. 20, p. 17, effective May 7, 1980; amended at 6 Ill. Reg. 11154, effective September 7, 1982; amended and codified at 7 Ill. Reg. 14973, effective October 26, 1983; emergency amendment at 9 Ill. Reg. 14378, effective September 11, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 16231, effective October 10, 1985; amended at 10 Ill. Reg. 14667, effective August 27, 1986; amended at 12 Ill. Reg. 10464, effective June 7, 1988; amended at 12 Ill. Reg. 17383, effective October 24, 1988; amended at 13 Ill. Reg. 3793, effective March 10, 1989; amended at 13 Ill. Reg. 15998, effective October 2, 1989; emergency amendment at 16 Ill. Reg. 12781, effective July 29, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17073, effective October 26, 1992; amended at 19 Ill. Reg. 2826, effective February 24, 1995; amended at 20 Ill. Reg. 5803, effective April 8, 1996; emergency amendment at 20 Ill. Reg. 13093, effective September 27, 1996, for a maximum of 150 days; emergency expired February 17, 1997; amended at 22 Ill. Reg. 17317, effective September 15, 1998; emergency amendment at 23 Ill. Reg. 3086, effective February 23, 1999, for a maximum of 150 days; emergency expired July 22, 1999; amended at 23 Ill. Reg. 12614, effective October 4, 1999; amended at 24 Ill. Reg. 14031, effective November 12, 1999; amended at 25 Ill. Reg. 6244, effective _____.

SUBPART B: HIGH RISK HOME LOANS

Section 190.500 Definitions

"Approved Credit Counselor" means a credit counselor as approved by the Director of the Department of Financial Institutions.

"Good faith" means honesty in fact in the conduct of the transaction.

"Home equity loan" means any loan secured by the borrower's primary residence where the proceeds are not used as purchase money for the residence.

"Points and fees" means:

all items required to be disclosed as points and fees under 12

CFR 226.32 (2000, no subsequent amendments or editions included); the premium of any single premium credit life, credit disability, credit unemployment, or any other life or health insurance that is financed directly or indirectly into the loan;

all compensation paid directly or indirectly to a mortgage broker, including a broker that originates a loan in its own name in a table funded transaction, not otherwise included in 12 CFR 226.4.

"Subject loan" is the term used to describe any loan to which this Subpart applies pursuant to Section 190.505.

"Total loan amount" is the same as the term used in 12 CFR 226.32, and shall be calculated in accordance with the Federal Reserve Board's Official Staff Commentary to that regulation.

(Source: Added at 25 Ill. Reg. 3244, effective _____.)

Section 190.505 Applicability of Rule

This Subpart shall apply to a home equity loan in which:

a) At the time of origination, the APR exceeds by more than 6 percentage points in the case of a first lien mortgage, or by more than 8 percentage points in the case of a junior mortgage, the yield on U.S. Treasury securities having comparable periods of maturity to the loan maturity as of the fifteenth day of the month immediately preceding the month in which the application for the loan is received by the lender; or

b) The total points and fees payable by the consumer at or before closing will exceed the greater of 5% of the total loan amount or \$800. The \$800 figure shall be adjusted annually on January 1 by the annual percentage change in the Consumer Price Index.

However, this Subpart shall not apply to a loan that is made primarily for a business purpose unrelated to the residential real property securing the loan or to an open-end credit plan subject to 12 CFR 226 (2000, no subsequent amendments or editions included).

(Source: Added at 25 Ill. Reg. 6244, effective _____.)

Section 190.510 Good Faith Requirements

a) Any disclosure or action required by this Subpart shall be made in good faith.

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

b) No lender shall accept a fee or charge for a subject loan application unless the licensee is able to demonstrate to the Director that, if its subject loan requirements are met, there is a reasonable likelihood that a loan commitment will be issued for such loan for the amount, term, rate, charges and other conditions set forth in the loan application and the applicable disclosures and documents required and that the loan has a reasonable likelihood of being repaid by the applicant.

c) A lender who has accepted an application for a subject loan shall make a good faith effort to process the application within the time specified in the loan application.

(Source: Added at 25 Ill. Reg. 0244-3, effective

Section 190.515 Fraudulent or Deceptive Practices

a) No lender shall employ fraudulent or deceptive acts or practices in the making of a subject loan, including deceptive marketing and sales efforts.

b) No lender shall make a subject loan that includes a penalty provision for prepayment made:

1) after the expiration of the 36 month period following the date the loan was made; or

2) that is more than:

A) 3% of the total loan amount, if the prepayment is made within the first 12 month period following the date the loan was made; or

B) 2% of the total loan amount, if the prepayment is made within the second 12 month period after the date the loan was made; or

C) 1% of the total loan amount, if the prepayment is made within the third 12 month period following the date the loan was made.

(Source: Added at 25 Ill. Reg. 0244-2, effective

Section 190.520 Prohibited Refinances

No lender shall refinance any subject loan, where such refinancing charges additional points and fees, within a 12 month period after the original loan agreement was signed, unless the refinancing results in a financial benefit to the borrower.

(Source: Added at 25 Ill. Reg. 0244-3, effective

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

Section 190.525 Negative Amortization

No lender shall make a subject loan, other than a loan secured only by a reverse mortgage, with terms under which the outstanding balance will increase at any time over the course of the loan because the regular periodic payments do not cover the full amount of the interest due, unless the negative amortization is the consequence of a temporary forbearance sought by the borrower.

(Source: Added at 25 Ill. Reg. 0244-3, effective

Section 190.530 Negative Equity

No lender shall make a subject loan where the loan amount exceeds the value of the property securing the loan, plus reasonable closing costs not to exceed 5% of the total loan amount.

(Source: Added at 25 Ill. Reg. 0244-7, effective

Section 190.535 Balloon Payments

No lender shall make a subject loan that contains a scheduled final payment that is more than twice as large as the average of earlier scheduled monthly payments, unless such balloon payment becomes due and payable at least 15 years after the loan's origination. This prohibition does not apply when the payment schedule is adjusted to account for the seasonal or irregular income of the borrower or if the purpose of the loan is a "bridge" loan connected with the acquisition or construction of a dwelling intended to become the borrower's principal dwelling.

(Source: Added at 25 Ill. Reg. 0244-3, effective

Section 190.540 Financing of Certain Points and Fees

No lender shall make a subject loan that finances points and fees in excess of 6% of the total loan amount.

(Source: Added at 25 Ill. Reg. 0244-3, effective

Section 190.545 Financing of Single Premium Insurance Products

No lender shall make a subject loan, which finances a single premium credit life, credit disability, credit unemployment, or any other life or health

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

insurance, directly or indirectly. Insurance previously calculated and paid on a monthly basis shall not be considered to be financed by the lender.

(Source: Added at 25 Ill. Reg. 624.4, effective _____)

Section 190.550 Lending Without Due Regard to Ability to Repay

No lender shall make a subject loan if the lender does not believe at the time the loan is consummated that the borrower or borrowers will be able to make the scheduled payments to repay the obligation based upon a consideration of their current and expected income, current obligations, employment status and other financial resources (other than the borrower's equity in the dwelling that secures repayment of the loan). A borrower shall be presumed to be able to repay the loan if, at the time the loan is consummated, or at the time of the first rate adjustment in the case of a lower introductory interest rate, the borrower's scheduled monthly payments on the loan (including principal, interest, taxes, insurance and assessments), combined with the scheduled payments for all other disclosed debts, do not exceed 50% of the borrower's monthly gross income.

(Source: Added at 25 Ill. Reg. 624.4, effective _____)

Section 190.555 Verification of Ability to Repay

No lender shall make a subject loan prior to verifying the borrower's ability to repay the loan. Such verification shall require, at a minimum, the following:

- The borrower prepares and submits to the lender a personal income and expense statement in a form prescribed by the Director.
- Income is verified by means of tax returns, pay stubs, accounting statements or other prudent means.
- A credit report is obtained regarding the borrower.

(Source: Added at 25 Ill. Reg. 624.4, effective _____)

Section 190.560 Payments to Contractors

No lender shall make a payment of any proceeds of a subject loan to a contractor under a home improvement contract other than:

- by instrument payable to the borrower or jointly to the borrower and the contractor; or
- at the election of the borrower, by a third party escrow agent in accordance with the terms established in a written agreement signed by the borrower, the lender, and the contractor before the date of

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

payment.

(Source: Added at 25 Ill. Reg. 624.4, effective _____)

Section 190.565 Counseling Prior to Perfecting Foreclosure

- In the event that a subject loan becomes delinquent by more than 30 days, the lender shall send a notice advising the borrower of the availability of consumer credit counseling.
- The notice required under subsection (a) shall, at a minimum, include the following language notice:

"YOUR LOAN IS OR WAS MORE THAN 30 DAYS PAST DUE. YOU MAY BE EXPERIENCING FINANCIAL DIFFICULTY. IT MAY BE IN YOUR BEST INTEREST TO SEEK APPROVED CONSUMER CREDIT COUNSELING. A LIST OF APPROVED CREDIT COUNSELORS MAY BE OBTAINED FROM THE DEPARTMENT OF FINANCIAL INSTITUTIONS AT 1-888-298-8089."

- If, within 15 days after mailing the notice provided for under subsection (b), a lender or its agent is notified in writing by an approved consumer credit counselor that the borrower is seeking approved consumer credit counseling, then the lender and its agent shall not institute legal action under Part 15 of Article XV of the Code of Civil Procedure for 30 days from the date of that notice. Only one such 30-day period of forbearance is allowed under this Section per subject loan.
- If, within the 30-day period provided under subsection (c) the lender or its agent the approved consumer credit counselor, and the borrower agree to a debt management plan, then the lender and its agent shall not institute legal action under Part 15 of Article XV of the Code of Civil Procedure for so long as the debt management plan is complied with by the borrower.

- The agreed debt management plan must be in writing and signed by the lender or its agent, the approved consumer credit counselor, and the borrower. The lender or its agent, the approved consumer credit counselor, and the borrower may modify the debt management plan.
- Upon written notice to the lender or its agent, the borrower may change approved consumer credit counselors.

- If the borrower fails to comply with the agreed debt management plan, then nothing in this Subpart shall be construed to impair the legal right of the lender or its agent to enforce contracts or mortgage agreements.
- This Section applies only to subject loans as defined by Section 190.590.

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

(Source: Added at 25 Ill. Reg. 6244, effective _____)

Section 190.570 Mortgage Awareness Program

- a) The Mortgage Awareness Program is a counseling and educational program that is provided by the Director.

- b) The minimum requirements for the core curriculum of the Mortgage Awareness Program shall include:

- 1) Explanation of the amount financed;
- 2) Explanation of the finance charge;
- 3) Explanation of the annual percentage rate;
- 4) Explanation of the total payments;
- 5) Explanation of the loan costs, including broker's fees, finance charges, points, origination fees and all other charges and fees;
- 6) Explanation of any right of rescission;
- 7) Explanation of foreclosure procedures;
- 8) Explanation of the debt ratio, including total debt to income ratio, loan debt to income ratio, and loan debt to value of residence;
- 9) Explanation of adjustable rate mortgage;
- 10) Explanation of balloon payments;
- 11) Explanation of credit options;
- 12) Explanation of each item that appears on the good faith estimate;

- c) Counseling session attendees must also complete a personal income and expense statement, as well as a balance sheet, on forms provided by the Director.

- d) Prior to issuing a certificate of completion, counselors shall privately meet and discuss with each attendee that attendee's income and expense statement and balance sheet, as well as the terms of any loan the attendee currently has or is contemplating.

- e) Counseling session attendees must also be provided with a brochure that contains information covered by the Mortgage Awareness Program.

(Source: Added at 25 Ill. Reg. 6244, effective _____)

Section 190.575 Offer of Mortgage Awareness Program

- a) Any lender, prior to making a subject loan, shall inform the borrower in writing of the right to participate in the Mortgage Awareness Program.

- b) No lender shall offer less favorable loan terms to a borrower due to a borrower's participation in a Mortgage Awareness Program.

- c) The borrower may waive participation in the program, provided that such waiver occurs no less than 2 business days after the day that the

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

(Source: Added at 25 Ill. Reg. 6244, effective _____)

Section 190.580 Third Party Review

In the case of each subject loan, upon approval of the loan application, the lender shall advise the borrower in writing of the opportunity to seek independent review of the loan terms in order to determine affordability of the loan. When and if the General Assembly appropriates adequate funding to the Department of Financial Institutions specifically for this program:

- a) Every borrower who chooses to participate in the independent review provided in this Subpart shall submit information requested on the worksheets outlined in Appendix A and B.
- b) The Department shall provide the borrower with a review of the worksheets and inform the borrower of the amount the borrower has available for a monthly mortgage payment based upon the borrower's budget. The Department shall also provide a projection of the payments required under the terms of the loan based upon a review of loan information pertaining to borrower payment history, adjustable rates and other items disclosed by the loan documents affecting the amount of payment.
- c) The borrower shall receive a copy of the completed forms and shall sign the forms acknowledging receipt. A copy of the written signed forms shall be submitted to the lender prior to the closing of the loan and shall become a part of the permanent file for the loan.

If, based upon the review, the borrower determines that the loan is not in his or her best economic interest, the reviewer shall note this in the completed forms sent to the lender. This determination shall enable the borrower to withdraw from the contemplated loan with no financial penalty.

(Source: Added at 25 Ill. Reg. 6244, effective _____)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

Section 190. APPENDIX A Estimated Monthly Income and Expenses Worksheet**ESTIMATED MONTHLY INCOME:**

1. Paychecks (Net/"Take Home") \$ _____
2. Interest/Dividends _____
3. Social Security/Pension _____
4. Alimony/Child Support _____
5. Other _____
6. Total Estimated Monthly Income \$ _____
(Add Lines 1 through 5)

ESTIMATED MONTHLY EXPENSES:

7. Mortgages/Rent \$ _____
8. Homeowner's/Renter's Insurance _____
9. Real Estate Taxes _____
10. Water & Sewer _____
11. House Repairs _____
12. Groceries _____
13. Telephone _____
14. Gas (House) _____
15. Electric _____
16. Credit Cards _____
17. Car Payments _____
18. Car Insurance _____
19. Licenses (Car) _____
20. Gas (Car) _____
21. Car Repairs/Maintenance _____
22. Clothing _____
23. Medical/Dental _____
24. Medical Insurance _____
25. Prescriptions _____
26. Loan Payments _____
(Not included in Line 7 or 17)
27. Tuition _____
28. Contributions _____
29. Cellular Telephone _____
30. Pager _____
31. Recreation/Vacation _____
32. Other Insurance (Life, etc.) _____
33. Income Taxes _____
34. Alimony/Child Support _____
35. Transportation _____
36. Miscellaneous _____
37. Other _____
38. Total Estimated Monthly Expenses \$ _____

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

(Add Lines 7 through 37)

39. *Excess/Deficit \$ _____
(Subtract Line 38 from Line 6)

*If Line 38 is greater than Line 6, your estimated monthly expenses exceed your estimated monthly income.

(Source: Added at 25 Ill. Reg. 6244-2, effective _____)

DEPARTMENT OF FINANCIAL INSTITUTIONS
NOTICE OF ADOPTED AMENDMENTS**Section 190. APPENDIX B Mortgage Ratio Worksheet****Part I****LOAN-TO-VALUE RATIO**

1. Mortgage Amounts \$ _____
2. Appraised Value \$ _____
3. Line 1 divided by Line 2 _____

Note: This is the percentage of the purchase price/appraised value of your home that will be allocated to your total mortgage. A percentage rate over 80% may result in you incurring additional costs.

Borrower's SignatureDEPARTMENT OF FINANCIAL INSTITUTIONS
NOTICE OF ADOPTED AMENDMENTS**Part II****INCOME RATIO****MONTHLY HOUSING EXPENSES:**

1. Principal and Interest Payment \$ _____
2. Homeowner's Insurance _____
3. Real Estate Tax _____
4. Mortgage Insurance Premium _____
5. Homeowner's Assoc. Fee _____
6. Ground Rents _____
7. Payments on Existing or Proposed 2nd Mortgage _____

8. Total Housing Expense
(Add Lines 1 through 7) \$ _____

MONTHLY GROSS INCOME:

9. Gross Salary \$ _____
10. Dividends/Interest _____
11. Social Security/Pension _____
12. Alimony/Child Support _____
13. Other _____
14. Total Gross Income \$ _____
15. Divide Line 8 by Line 14 _____

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses.

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

Part III

LONG-TERM DEBT RATIO

MONTHLY EXPENSES:

1. Total Housing Expense (Part II, Line 8) \$

2. Credit Cards

3. Car Payments

4. Loans

(Not Included on Line 1 or Line 3)

5. Alimony/Child Support

6. Total Expenses

(Lines 1 through 5)

MONTHLY INCOME:

7. Total Gross Income

(Part II, Line 14)

8. Divide Line 6 by Line 7

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses and other debt that you pay on a monthly basis.

Borrower's Signature

(Source: Added at 25 Ill. Reg. 6244, effective)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Sales Finance Agency Act2) Code Citation: 38 Ill. Adm. Code 160

3) Section Numbers:
 160.500 New Section
 160.505 New Section
 160.510 New Section
 160.515 New Section
 160.520 New Section
 160.525 New Section
 160.530 New Section
 160.535 New Section
 160.540 New Section
 160.545 New Section
 160.550 New Section
 160.555 New Section
 160.560 New Section
 160.565 New Section
 160.570 New Section
 160.575 New Section
 160.580 New Section
 APPENDIX A New Section
 APPENDIX B New Section

4) Statutory Authority: 205 ILCS 660/135) Effective Date of Amendments: May 17, 20016) Do these amendments contain an automatic repeal date? No7) Do these amendments contain incorporations by reference? Yes

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notices of Proposal Published in Illinois Register: December 29, 2000, 25 Ill. Reg. 18964

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: In Section 160.500, add definition of Approved Credit Counselor as follows: "Approved Credit Counselor means a credit counselor as approved by the Director of the Department of Financial Institutions."

In Section 160.500, definition of "points and fees", "under 12 CFR 226.5"

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

is changed to "as points and fees under 12 CFR 226.32" and "12 CFR 226.5" is changed to "12 CFR 226.4".

In Section 160.520, "refinanced loan was originated" is changed to "original loan agreement was signed".

In Section 160.530, "equity of the property securing the loan" is changed to "value of the property securing the loan, plus reasonable closing costs not to exceed 5% of the total loan amount".

In Section 160.555(a), "the lender, with information provided by the borrower prepares" is changed to "The borrower prepares and submits to the lender".

At Section 160.580, delete all language and add:

"In the case of each subject loan, upon approval of the loan application, the lender shall advise the borrower in writing of the opportunity to seek independent review of the loan terms in order to determine affordability of the loan. When and if the General Assembly appropriates adequate funding to the Department of Financial Institutions specifically for this program:

a) Every borrower who chooses to participate in the independent review provided in this subpart shall submit information requested on the worksheets, which are made a part of this rule in Appendix A and Appendix B.

b) The Department shall provide the borrower with a review of the worksheets and inform the borrower of the amount the borrower has available for a monthly mortgage payment based upon the borrower's budget. The Department shall also provide a projection of the payments required under the terms of the loan based upon a review of loan information pertaining to balloon payments, adjustable interest rates and other items disclosed by the loan documents affecting the amount of payment.

c) The borrower shall receive a copy of the completed forms and shall sign the forms acknowledging receipt. A copy of the written and signed forms shall be submitted to the lender prior to the closing of the loan, and shall become a part of the permanent file for the loan.

d) If, based upon the review, the borrower determines that the loan is not in his or her best economic interest, the reviewer shall so note this in the completed forms sent to the lender. This determination shall enable the borrower to withdraw from the contemplated loan with no financial penalty."

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

Add the Appendix A and Appendix B worksheets to the Part.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these amendments replace emergency amendments currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: The rules provide consumer protection for certain defined mortgage lending activity. The rules apply to certain non-purchase money mortgage loans with interest and/or fees above defined threshold levels.

16) Information and questions regarding these adopted amendments shall be directed to:

Sarah D. Vega, Director
Department of Financial Institutions
100 W. Randolph, 15-700
Chicago IL 60601
312-814-2000

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

PART 160

SALES FINANCE AGENCY ACT

SUBPART A: GENERAL

Section	
160.01	Application for License
160.10	Minimum Requirements for Office Records
160.20	Transaction Register
160.30	Individual Account Cards
160.40	File of Original Papers
160.50	Cash Book
160.55	Permanent File
160.60	Alphabetical Records of Buyers, Co-Purchasers and Obligors
160.70	Payments
160.80	Delinquency Charges (Default Charges)
160.90	Cancellation and Return of Documents
160.100	Extensions--Renewals--Rebates
160.110	Hypothecation of Security Instruments
160.120	Legal Forms
160.130	Judgments
160.140	Sale of Security
160.150	Trouble File
160.160	Lien Charges
160.170	Insurance
160.180	Office and Office Hours
160.190	Advertising
160.200	Business Source and Affiliates
160.210	Examination Remittances
160.220	Credit Practices
160.230	General
160.240	Hearing Procedure
160.250	Servicing of Accounts by Contract
160.260	Off-site Records

SUBPART B: HIGH RISK HOME LOANS

Section	
160.500	Definitions
160.505	Applicability of Rule
160.510	Good Faith Requirements
160.515	Fraudulent or Deceptive Practices
160.520	Prohibited Refinances
160.525	Negative Amortization
160.530	Negative Equity
160.535	Balloon Payments

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

160.540	Financing of Certain Points and Fees
160.545	Financing of Single Premium Insurance Products
160.550	Lending Without Due Regard to Ability to Repay
160.555	Verification of Ability to Repay
160.560	Payments to Contractors
160.565	Counseling Prior to Perfecting Foreclosure
160.570	Mortgage Awareness Program
160.575	Offer of Mortgage Awareness Program
160.580	Third Party Review

APPENDIX A Estimated Monthly Income and Expenses Worksheet
APPENDIX B Mortgage Ratio Worksheet

AUTHORITY: Implementing and authorized by Section 8(9) of the Sales Finance Agency Act (205 ILCS 660/8(9)).

SOURCE: Filed September 21, 1970; amended at 5 Ill. Reg. 1358, effective February 3, 1981; codified at 7 Ill. Reg. 11728; amended at 9 Ill. Reg. 1370, effective January 17, 1985; amended at 12 Ill. Reg. 17844, effective October 24, 1988; amended at 19 Ill. Reg. 49, effective December 22, 1994; emergency amendment at 22 Ill. Reg. 1543, effective January 2, 1998; amended at 24 Ill. Reg. 13699, effective July 14, 1998; amended at 25 Ill. Reg. 6261, effective _____.

SUBPART B: HIGH RISK HOME LOANS

Section 160.500 Definitions

"Approved Credit Counselor" means a credit counselor as approved by the Director of the Department of Financial Institutions.

"Good faith" means honesty in fact in the conduct of the transaction.

"Home equity loan" means any loan secured by the borrower's primary residence where the proceeds are not used as purchase money for the residence.

"Points and fees" means:

all items required to be disclosed as points and fees under 12 CFR 226.32 (2000, no subsequent amendments or editions included); the premium of any single premium credit life, credit disability, credit unemployment, or any other life or health insurance that is financed directly or indirectly into the loan;

all compensation paid directly or indirectly to a mortgage broker, including a broker that originates a loan in its own name

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

in a tablefunded transaction, not otherwise included in 12 CFR 226.4.

"Subject loan" is the term used to describe any loan to which this Subpart applies pursuant to Section 160.505.

"Total loan amount" is the same as the term used in 12 CFR 226.32, and shall be calculated in accordance with the Federal Reserve Board's Official Staff Commentary to that regulation.

(Source: Added at 25 Ill. Reg. 6261, effective _____)

Section 160.505 Applicability of Rule

This Subpart shall apply to a home equity loan in which:

- a) At the time of origination, the APR exceeds by more than 6 percentage points in the case of a first lien mortgage, or by more than 8 percentage points in the case of a junior mortgage, the yield on U.S. Treasury securities having comparable periods of maturity to the loan maturity as of the fifteenth day of the month immediately preceding the month in which the application for the loan is received by the lender; or
- b) The total points and fees payable by the consumer at or before closing will exceed the greater of 5% of the total loan amount or \$800. The \$800 figure shall be adjusted annually on January 1 by the annual percentage change in the Consumer Price Index.

However, this Subpart shall not apply to a loan that is made primarily for a business purpose unrelated to the residential real property securing the loan or to an open-end credit plan subject to 12 CFR 226 (2000, no subsequent amendments or editions included).

(Source: Added at 25 Ill. Reg. 6261, effective _____)

Section 160.510 Good Faith Requirements

- a) Any disclosure or action required by this Subpart shall be made in good faith.
- b) No lender shall accept a fee or charge for a subject loan application unless the licensee is able to demonstrate to the Director that, if its subject loan requirements are met, there is a reasonable likelihood that a loan commitment will be issued for such loan for the amount, term, rate, charges and other conditions set forth in the loan application, and the applicable disclosures and documents required and that the loan has a reasonable likelihood of being repaid by the applicant.
- c) A lender who has accepted an application for a subject loan shall make

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

a good faith effort to process the application within the time specified in the loan application.

(Source: Added at 25 Ill. Reg. 6261, effective _____)

Section 160.515 Fraudulent or Deceptive Practices

- a) No lender shall employ fraudulent or deceptive acts or practices in the making of a subject loan, including deceptive marketing and sales efforts.
- b) No lender shall make a subject loan that includes a penalty provision for prepayment made:

- 1) after the expiration of the 36 month period following the date the loan was made; or
- 2) that is more than:
 - A) 3% of the total loan amount, if the prepayment is made within the first 12 month period following the date the loan was made; or
 - B) 2% of the total loan amount, if the prepayment is made within the second 12 month period after the date the loan was made; or
 - C) 1% of the total loan amount, if the prepayment is made within the third 12 month period following the date the loan was made.

(Source: Added at 25 Ill. Reg. 6261, effective _____)

Section 160.520 Prohibited Refinances

No lender shall refinance any subject loan, where such refinancing charges additional points and fees, within a 12 month period after the original loan agreement was signed, unless the refinancing results in a financial benefit to the borrower.

(Source: Added at 25 Ill. Reg. 6261, effective _____)

Section 160.525 Negative Amortization

No lender shall make a subject loan, other than a loan secured only by a reverse mortgage, with terms under which the outstanding balance will increase at any time over the course of the loan because the regular periodic payments do not cover the full amount of the interest due, unless the negative amortization is the consequence of a temporary forbearance sought by the borrower.

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

(Source: Added at 25 Ill. Reg. 6261-3, effective

Section 160.530 Negative Equity

No lender shall make a subject loan where the loan amount exceeds the value of the property securing the loan, plus reasonable closing costs not to exceed 5% of the total loan amount.

(Source: Added at 25 Ill. Reg. 6261-3, effective

Section 160.535 Balloon Payments

No lender shall make a subject loan that contains a scheduled final payment that is more than twice as large as the average of earlier scheduled monthly payments unless such balloon payment becomes due and payable at least 15 years after the loan's origination. This prohibition does not apply when the payment schedule is adjusted to account for the seasonal or irregular income of the borrower or if the purpose of the loan is a "bridge" loan connected with the acquisition or construction of a dwelling intended to become the borrower's principal dwelling.

(Source: Added at 25 Ill. Reg. 6261-3, effective

Section 160.540 Financing of Certain Points and Fees

No lender shall make a subject loan that finances points and fees in excess of 6% of the total loan amount.

(Source: Added at 25 Ill. Reg. 6261-3, effective

Section 160.545 Financing of Single Premium Insurance Products

No lender shall make a subject loan, which finances a single premium credit life, credit disability, credit unemployment, or any other life or health insurance, directly or indirectly, insurance previously calculated and paid on a monthly basis shall not be considered to be financed by the lender.

(Source: Added at 25 Ill. Reg. 6261-3, effective

Section 160.550 Lending Without Due Regard to Ability to Repay

No lender shall make a subject loan if the lender does not believe at the time the loan is consummated that the borrower or borrowers will be able to make the

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

scheduled payments to repay the obligation based upon a consideration of their current and expected income, current obligations, employment status and other financial resources (other than the borrower's equity in the dwelling that secures repayment of the loan). A borrower shall be presumed to be able to repay the loan if, at the time the loan is consummated, or at the time of the first rate adjustment in the case of a lower introductory interest rate, the borrower's scheduled monthly payments on the loan (including principal, interest, taxes, insurance and assessments), combined with the scheduled payments for all other disclosed debts, do not exceed 50% of the borrower's monthly gross income.

(Source: Added at 25 Ill. Reg. 6261-3, effective

Section 160.555 Verification of Ability to Repay

No lender shall make a subject loan prior to verifying the borrower's ability to repay the loan. Such verification shall require, at a minimum, the following:

- The borrower prepares and submits to the lender a personal income and expense statement in a form prescribed by the Director.
- Income is verified by means of tax returns, pay stubs, accounting statements or other prudent means.
- A credit report is obtained regarding the borrower.

(Source: Added at 25 Ill. Reg. 6261-3, effective

Section 160.560 Payments to Contractors

No lender shall make a payment of any proceeds of a subject loan to a contractor under a home improvement contract other than:

- by instrument payable to the borrower or jointly to the borrower and the contractor; or
- at the election of the borrower, by a third party escrow agent in accordance with the terms established in a written agreement signed by the borrower, the lender, and the contractor before the date of payment.

(Source: Added at 25 Ill. Reg. 6261-3, effective

Section 160.565 Counseling Prior to Perfecting Foreclosure

- In the event that a subject loan becomes delinquent by more than 30 days, the lender shall send a notice advising the borrower of the availability of consumer credit counseling.
- The notice required under subsection (a) shall, at a minimum, include

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

the following language notice:

"YOUR LOAN IS OR WAS MORE THAN 30 DAYS PAST DUE. YOU MAY BE EXPERIENCING FINANCIAL DIFFICULTY. IT MAY BE IN YOUR BEST INTEREST TO SEEK APPROVED CONSUMER CREDIT COUNSELING. A LIST OF APPROVED CREDIT COUNSELORS MAY BE OBTAINED FROM THE DEPARTMENT OF FINANCIAL INSTITUTIONS AT 1-888-238-8089."

c) If, within 15 days after mailing the notice provided for under subsection (b), a lender or its agent is notified in writing by an approved consumer credit counselor that the borrower is seeking approved consumer credit counseling, then the lender and its agent shall not institute legal action under Part 15 of Article XV of the Code of Civil Procedure for 30 days from the date of that notice. Only one such 30-day period of forbearance is allowed under this Section per subject loan.

d) If, within the 30-day period provided under subsection (c) the lender or its agent, the approved consumer credit counselor, and the borrower agree to a debt management plan, then the lender and its agent shall not institute legal action under Part 15 of Article XV of the Code of Civil Procedure for so long as the debt management plan is complied with by the borrower.

1) The agreed debt management plan must be in writing and signed by the lender or its agent, the approved consumer credit counselor, and the borrower. The lender or its agent, the approved consumer credit counselor, and the borrower may modify the debt management plan.

2) Upon written notice to the lender or its agent, the borrower may change approved consumer credit counselors.

e) If the borrower fails to comply with the agreed debt management plan, then nothing in this Subpart shall be construed to impair the legal right of the lender or its agent to enforce contracts or mortgage agreements.

f) This Section applies only to subject loans as defined by Section 160.500.

(Source: Added at 25 Ill. Reg. 6261-3, effective 4/14/11)

Section 160.570 Mortgage Awareness Program

a) The Mortgage Awareness Program is a counseling and educational program that is provided by the Director.

b) The minimum requirements for the core curriculum of the Mortgage Awareness Program shall include:

- 1) Explanation of the amount financed;
- 2) Explanation of the finance charge;
- 3) Explanation of the annual percentage rate;

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

- 4) Explanation of the total payments;
- 5) Explanation of the loan costs, including broker's fees, finance charges, points, origination fees and all other charges and fees;
- 6) Explanation of any right of rescission;
- 7) Explanation of foreclosure rescissions;
- 8) Explanation of the debt ratio, including total debt to income ratio, loan debt to income ratio, and loan debt to value of residence;

- 9) Explanation of adjustable rate mortgage;
- 10) Explanation of balloon payments;
- 11) Explanation of credit options;
- 12) Explanation of each item that appears on the good faith estimate;
- 13) Explanation of pre-payment penalties.

c) Counseling session attendees must also complete a personal income and expense statement, as well as a balance sheet, on forms provided by the Director.

d) Prior to issuing a certificate of completion, counselors shall privately meet and discuss with each attendee that attendee's income and expense statement and balance sheet, as well as the terms of any loan the attendee currently has or is contemplating.

e) Counseling session attendees must also be provided with a brochure that contains information covered by the Mortgage Awareness Program.

(Source: Added at 25 Ill. Reg. 6261-3, effective 4/14/11)

Section 160.575 Offer of Mortgage Awareness Program

a) Any lender, prior to making a subject loan, shall inform the borrower in writing of the right to participate in the Mortgage Awareness Program.

b) No lender shall offer less favorable loan terms to a borrower due to a borrower's participation in a Mortgage Awareness Program.

c) The borrower may waive participation in the program, provided that such waiver occurs no less than 2 business days after the day that the borrower receives the written notice required by subsection (a) and that such waiver is in writing in a form approved by the Director.

(Source: Added at 25 Ill. Reg. 6261-3, effective 4/14/11)

Section 160.580 Third Party Review

In the case of each subject loan, upon approval of the loan application, the lender shall advise the borrower in writing of the opportunity to seek independent review of the loan terms in order to determine affordability of the loan. When and if the General Assembly appropriates adequate funding to the Department of Financial Institutions specifically for this program:

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

- a) Every borrower who chooses to participate in the independent review provided in this Section shall submit information requested on the worksheets outlined in Appendix A and B.
- b) The Department shall provide the borrower with a review of the worksheets and inform the borrower of the amount the borrower has available for a monthly mortgage payment based upon the borrower's budget. The Department shall also provide a projection of the payments required under the terms of the loan based upon a review of loan information pertaining to balloon payments, adjustable interest rates and other items disclosed by the loan documents affecting the amount of payment.
- c) The borrower shall receive a copy of the completed forms and shall sign the forms acknowledging receipt. A copy of the written and signed forms shall be submitted to the lender prior to the closing of the loan and shall become a part of the permanent file for the loan. If, based upon the review, the borrower determines that the loan is not in his or her best economic interest, the reviewer shall so note this in the completed forms sent to the lender. This determination shall enable the borrower to withdraw from the contemplated loan with no financial penalty.

(Source: Added at 25 Ill. Reg. 3261, effective _____)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

Section 160-APPENDIX A Estimated Monthly Income and Expenses Worksheet

ESTIMATED MONTHLY INCOME:

1. Paychecks (Net/"Take Home")	\$
2. Interest/Dividends	
3. Social Security/Pension	
4. Alimony/Child Support	
5. Other	
6. Total Estimated Monthly Income	\$
(Add Lines 1 through 5)	

ESTIMATED MONTHLY EXPENSES:

7. Mortgages/Rent	\$
8. Homeowner's/Renter's Insurance	
9. Real Estate Taxes	
10. Water & Sewer	
11. House Repairs	
12. Groceries	
13. Telephone	
14. Gas (House)	
15. Electric	
16. Credit Cards	
17. Car Payments	
18. Car Insurance	
19. Licenses (Car)	
20. Gas (Car)	
21. Car Repairs/Maintenance	
22. Clothing	
23. Medical/Dental	
24. Medical Insurance	
25. Prescriptions	
26. Loan Payments	
(Not included in Line 7 or 17)	
27. Tuition	
28. Contributions	
29. Cellular Telephone	
30. Pager	
31. Recreation/Vacation	
32. Other Insurance (Life, etc.)	
33. Income Taxes	
34. Alimony/Child Support	
35. Transportation	
36. Miscellaneous	
37. Other	
38. Total Estimated Monthly Expenses	\$
(Add Lines 7 through 37)	

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

Section 160 APPENDIX B Mortgage Ratio Worksheet

Part I

LOAN-TO-VALUE RATIO

- 1. Mortgage Amounts \$ -
- 2. Appraised Value \$ -
- 3. Line 1 divided by Line 2 -

Note: This is the percentage of the purchase price/appraised value of your home that will be allocated to your total mortgage. A percentage rate over 80% may result in you incurring additional costs.

Borrower's Signature

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

39. *Excess/Deficit \$ -
(Subtract Line 38 from Line 6)

*If Line 38 is greater than Line 6, your estimated monthly expenses exceed your estimated monthly income.

(Source: Added at 25 Ill. Reg. 12.6.1, effective 11/1/11)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

Part II

INCOME RATIO

MONTHLY HOUSING EXPENSES:

1. Principal and Interest Payment \$ _____
2. Homeowner's Insurance _____
3. Real Estate Tax _____
4. Mortgage Insurance Premium _____
5. Homeowner's Assoc. Fee _____
6. Ground Rents _____
7. Payments on Existing or Proposed 2nd Mortgage _____

8. Total Housing Expense
(Add Lines 1 through 7)

\$ _____

MONTHLY GROSS INCOME:

9. Gross Salary \$ _____
10. Dividends/Interest _____
11. Social Security/Pension _____
12. Alimony/Child Support _____
13. Other _____

14. Total Gross Income \$ _____

15. Divide Line 8 by Line 14 _____

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses.

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

Part III

LONG-TERM DEBT RATIO

MONTHLY EXPENSES:

1. Total Housing Expense (Part II, Line 8) \$ _____
2. Credit Cards _____
3. Car Payments _____
4. Loans
(Not Included on Line 1 or Line 3) _____
5. Alimony/Child Support _____
6. Total Expenses
(Lines 1 through 5) \$ _____

MONTHLY INCOME:

7. Total Gross Income
(Part II, Line 14) \$ _____

8. Divide Line 6 by Line 7 _____

Note: This is the percentage of your gross monthly income that will be allocated to your mortgage expenses and other debt that you pay on a monthly basis.

Borrower's Signature _____

(Source: Added at 25 Ill. Reg. ~~6261-3~~, effective _____)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Eligibility2) Code Citation: 89 Ill. Adm. Code 6823) Section Numbers: Adopted Action:
686.410 Amended4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3]5) Effective Date of Amendment: May 15, 20016) Does this rulemaking contain an automatic repeal date? No7) Does this amendment contain incorporations by reference? No8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.9) Notice of Proposal Published in Illinois Register: January 19, 2001, 25 Ill. Reg. 76210) Has JCAR Issued a Statement of Objection to this amendment? No11) Differences between proposal and final version: None12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes13) Will this amendment replace an emergency amendment currently in effect?
No14) Are there any amendments pending on this Part: No15) Summary and Purpose of Amendment: This rulemaking amends the subsection on redetermination time frames to change the requirement for such a redetermination from once every 3 months to once every 6 months.16) Information and questions regarding this adopted amendment shall be directed to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor Harris Bldg.
Springfield, Illinois 62762
(217) 785-9772

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

The full text of adopted amendment begins on the next page:

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 682
ELIGIBILITY

SUBPART A: GENERAL APPLICABILITY

Section
682.10 General Applicability

SUBPART B: NON-FINANCIAL ELIGIBILITY CRITERIA

Section
682.100 General Eligibility Criteria

SUBPART C: FINANCIAL ELIGIBILITY CRITERIA

Section
682.200 Assets Limitation
682.210 Transfer of Assets
682.220 Exempt Assets
682.230 Assets Held in Joint Ownership
682.240 Income Allowances (Repealed)
682.250 Cost Sharing Provisions (Repealed)
682.260 General Exceptions to Cost Share Provisions (Repealed)

SUBPART D: EFFECT OF OTHER SERVICES ON HSP

Section
682.300 Effect of Other Services on HSP

SUBPART E: REDETERMINATION OF ELIGIBILITY

Section
682.400 Redetermination Requirements
682.410 Redetermination Time Frames

SUBPART F: GRANDFATHERING PROVISIONS

Section
682.500 Exceptions to Eligibility Standards
682.510 Exceptions to Cost Sharing Provisions (Repealed)
682.520 Exceptions to Service Cost Maximums

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

SOURCE: Adopted at 19 Ill. Reg. 5070, effective March 21, 1995; amended at 20 Ill. Reg. 6307, effective April 18, 1996; amended at 20 Ill. Reg. 15749, effective December 3, 1996; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; amended at 22 Ill. Reg. 2226, effective January 12, 1998; amended at 23 Ill. Reg. 3981, effective March 19, 1999; amended at 23 Ill. Reg. 14450, effective December 6, 1999; ~~6278~~ ⁶²⁷⁸ amended at 24 Ill. Reg. 7724, effective May 12, 2000; amended at 25 Ill. Reg. ~~6278~~ ⁶²⁷⁸, effective ~~May 12, 2000~~ ^{May 12, 2000}.

SUBPART E: REDETERMINATION OF ELIGIBILITY

Section 682.410 Redetermination Time Frames

- a) Any customer served under the standard Medicaid Waiver shall have his/her eligibility redetermined whenever there is a change in his/her condition or situation that may affect his/her continued eligibility, but if no such change, at least every twelve months.
- b) Any customer served under the Medicaid Waiver for Persons with AIDS shall have his/her eligibility redetermined whenever there is a change in his/her condition or situation that may affect his/her continued eligibility, but if no such change, at least every six months.
- c) Any customer served under the Medicaid Waiver for Persons with a Brain Injury shall have his/her eligibility redetermined whenever there is a change in his/her condition or situation that may affect his/her continued eligibility, but if no such change occurs, at least once every six three months.

(Source: Amended at 25 Ill. Reg. ~~6278~~ ⁶²⁷⁸, effective ~~May 12, 2000~~ ^{May 12, 2000})

DEPARTMENT OF HUMAN SERVICES

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Provider Requirements, Type Services, and Rates of Payment

directed to:

2) Code Citation: 89 Ill. Adm. Code 686

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762
(217) 785-9772

3) Section Numbers: Adopted Action:

686.1010 Amended
686.1020 Amended
686.1030 Amended

4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3]5) Effective Date of Amendments: May 15, 20016) Do these amendments contain an automatic repeal date? No7) Do these amendments contain incorporations by reference? No8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.9) Notice of Proposal Published in Illinois Register: January 19, 2001, 25 Ill. Reg. 76610) Has JCAR Issued a Statement of Objection to these amendments? No11) Differences between proposal and final version: None12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes13) Will these amendments replace emergency amendments currently in effect?
No14) Are there any amendments pending on this Part? No15) Summary and Purpose of Amendments: This rulemaking amends the subsection on redetermination time frames to change the requirement for such a redetermination from once every 3 months to once every 6 months. Other changes made to the rulemaking include changing the standards for the Case Management of persons with brain injuries to reduce the need for face-to-face contacts and adding three categories to the pool of qualifications for case managers and an increase in the number of cases a case manager can serve.16) Information and questions regarding these adopted amendments shall be

The full text of adopted amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS
TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM
PART 686
PROVIDER REQUIREMENTS, TYPE SERVICES, AND RATES OF PAYMENT

SUBPART A: PERSONAL ASSISTANTS

Section
686.100
686.10
686.20
686.25
686.30
686.40

Personal Assistant (PA) Requirements
Services Which May Be Provided by a PA
Criminal Background Check
Annual Review of PA Performance
Payment for PA Services

SUBPART B: ADULT DAY CARE PROVIDERS

Section
686.100
686.110
686.120
686.130
686.140

Adult Day Care (ADC) Provider Requirements
Services Which Must Be Provided by ADC Providers
Compliance Review of ADC Providers
Appeal of Compliance Review for ADC Providers
Payment for ADC Services

SUBPART C: HOMEMAKER SERVICES

Section
686.200
686.210
686.220
686.230
686.240
686.250
686.260
686.270
686.280

Homemaker Service Provider Requirements
Services Which Must Be Provided by Homemaker Agencies
Compliance Review of Homemaker Agencies
Appeal of Compliance Review for Homemaker Agencies
Payment for Homemaker Services
Financial Reporting of Homemaker Services
Unallowable Costs for Homemaker Service
Minimum Direct Service Worker Costs for Homemaker Services
Cost Categories for Homemaker Services

SUBPART D: ELECTRONIC HOME RESPONSE SERVICES

Section
686.300
686.310
686.320
686.330
686.340
686.350

Electronic Home Response Services (EHRs) Provider Requirements
Services Which Must Be Provided by EHRs Providers
Minimum Specifications for EHRs Equipment
Compliance Review of EHRs Providers
Appeal of Compliance Review for EHRs Providers
Rate of Payment for EHRs Services

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS
SUBPART E: MAINTENANCE HOME HEALTH SERVICE

Section
686.400
686.410

Maintenance Home Health Provider Requirements
Rate of Payment for Maintenance Home Health Services

SUBPART F: HOME DELIVERED MEALS

Section
686.500
686.510

Home Delivered Meals Provider Requirements
Rate of Payment for Home Delivered Meals

SUBPART G: ENVIRONMENTAL MODIFICATION

686.600
686.610
686.620
686.630
686.640

Environmental Modification Provider Requirements
Cost of Environmental Modification
Permanency of Environmental Modification
Reason for Denial of Environmental Modification
Verification of Environmental Modification

SUBPART H: ASSISTIVE EQUIPMENT

Section
686.700
686.710
686.720

Assistive Equipment Provider Requirements
Provision of Assistive Equipment
Verification of Receipt of Assistive Equipment

SUBPART I: RESPITE CARE

Section
686.800

Respite Care Provider Requirements

SUBPART J: CASE MANAGEMENT SERVICES TO PERSONS WITH AIDS

Section
686.900
686.910
686.920
686.930
686.940

Program Overview
Case Management Provider Responsibilities
Provider Staffing Requirements, Qualifications, and Training
Monitoring and Liability of Provider
Provider Compliance Requirements

SUBPART K: CASE MANAGEMENT SERVICES TO PERSONS WITH BRAIN INJURIES

Section
686.1000
686.1010
686.1020
686.1025

Program Overview
Case Management Provider Responsibilities
Case Manager Staffing Requirements, Qualifications and Training
Provisional Case Manager

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

686.1030 Monitoring and Liability
686.1040 Provider Compliance Requirements

SUBPART L: BEHAVIORAL SERVICES FOR PERSONS WITH BRAIN INJURIES

Section
686.1100 Behavioral Services Provider Requirements
686.1110 Rate of Payment for Behavioral Services

SUBPART M: DAY HABILITATION SERVICES FOR PERSONS WITH BRAIN INJURIES

Section
686.1200 Day Habilitation Services Provider Requirements
686.1210 Rate of Payment for Day Habilitation Services

SUBPART N: PREVOCATIONAL SERVICES FOR PERSONS WITH BRAIN INJURIES

Section
686.1300 Prevocational Services Provider Requirements
686.1310 Rate of Payment for Prevocational Services

SUBPART O: SUPPORTED EMPLOYMENT SERVICES FOR PERSONS WITH BRAIN INJURIES

Section
686.1400 Supported Employment Service Provider Requirements
686.1410 Rate of Pay for Supported Employment Services

APPENDIX A Acceptable Human Service Degrees

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

SOURCE: Adopted at 19 Ill. Reg. 5104, effective March 21, 1995; amended at 20 Ill. Reg. 12479, effective August 28, 1996; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; amended at 22 Ill. Reg. 18945, effective October 1, 1998; amended at 22 Ill. Reg. 19262, effective October 1, 1998; amended at 23 Ill. Reg. 499, effective December 22, 1998; amended at 23 Ill. Reg. 6457, effective May 17, 1999; amended at 24 Ill. Reg. 7501, effective May 6, 2000; amended at 24 Ill. Reg. 10212, effective July 1, 2000; amended at 24 Ill. Reg. 8414, effective November 30, 2000; amended at 25 Ill. Reg. 8408.

SUBPART K: CASE MANAGEMENT SERVICES TO PERSONS WITH BRAIN INJURIES

Section 686.1010 Case Management Provider Responsibilities

a) Case Managers

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

- 1) The Case Manager shall receive referrals from hospitals, other health providers, and other State and local agencies.
- 2) The Case Manager shall have full responsibility for determining eligibility, including assessment, development of service plans, and arrangement and implementation of services to be provided.

b) The Case Manager shall provide the following services:

- 1) initial assessment of eligibility and information gathering (89 Ill. Adm. Code 682);
- 2) development of a care plan and implementation (89 Ill. Adm. Code 684);
- 3) reassessment of the level of care at least every six ~~three~~ months or at such time when the customer's financial, disabling condition or need for services circumstance changes;
- 4) networking/coordination/brokering services (i.e., referring and assisting the customer in obtaining other agencies' services);
- 5) counseling and advocacy;
- 6) contacting the customer a minimum of ~~one~~ **three** time times per month-at-least-one-contact-being-a-face-to-face-visit;
- 7) maintaining and updating customer records; and
- 8) monitoring the cost effectiveness of the service plan (89 Ill. Adm. Code 679.50).

c) Eligibility for the Brain Injury Waiver

- 1) After receipt of a referral, the Case Manager shall complete an individual's eligibility determination for the Medicaid Waiver for Persons with a Brain Injury within the following timeframes:

- A) 2 working days for prescreening referral from cooperating hospitals for interim/emergency services;
- B) 5 working days for all other prescreening for interim/emergency services; and
- C) 10 working days for an eligibility referral.

2) The Case Manager shall determine customer eligibility for the Brain Injured Waiver by completing an assessment from a home visit or while the customer is hospitalized (89 Ill. Adm. Code 682). To determine customer eligibility, the Case Manager will use the HSP Determination of Need Assessment (89 Ill. Adm. Code 682).

3) The Case Manager shall assess the customer's limitations in activities of daily living (ADLs) (e.g., cooking, bathing, shopping) and the resources available to assist the customer in performing the ADLs (89 Ill. Adm. Code 682).

d) The Case Manager will provide a case action notice to each customer informing him or her of the eligibility determination, of all rights and responsibilities under the case management program, including the customer's right to request an appeal, the appeals procedures promulgated by the Department, the right to receive assistance in filing the request for appeal and information about the services of the Client Assistance Program (CAP) and how to reach CAP. The determination notice must be mailed to the HSP office within 10

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

working days after the date on which a completed application is received by the Case Manager.

e) Service Plan

- 1) If the assessment demonstrates the customer is at risk of unnecessary or premature placement in an institution because of his/her brain injury, the Case Manager shall develop a service plan that will allow the customer to live at home (89 Ill. Adm. Code 684.70).

- 2) The service plan will be retained during the time the case is opened and for five years after closure, unless an audit exception has occurred. In the case of an audit exception, the service plan will be retained until the audit exception has been resolved. Copies of the service plan will be maintained in the Case Manager's location and the HSP office. Closed cases will be retained in the HSP Central Office.

- 3) The service plan shall be approved and signed by the customer's physician or neuro-psychologist. If the plan is not approved by the customer's physician or neuro-psychologist, it cannot be implemented and the customer cannot be served under the Brain Injured Waiver.

- 4) If implementation of services is delayed beyond required time limits in subsection (c) of this Section, the Case Manager must inform the HSP administration and assist the customer in obtaining another provider.

- f) Records of contact with customer will be entered and maintained by the Case Manager in the customer's confidential case record. All contacts, oral or written, with or on behalf of a customer shall be documented in a confidential case record. The Case Manager is responsible for obtaining consents for the release of information as necessary and when required by regulation (89 Ill. Adm. Code 505).

(Source: Amended at 25 Ill. Reg. 6288, effective _____.)

Section 686.1020 Case Manager Staffing Requirements, Qualifications and Training

- a) Every agency providing case management services shall designate an individual who has overall responsibility for the administration of case management services.

- b) A Case Manager shall meet one of the following qualifications:

- 1) a Registered Nurse, licensed pursuant to the Illinois Nursing Act of 1987 (225 ILCS 65);
- 2) a Certified or Licensed Social Worker, certified or licensed pursuant to the Illinois Clinical Social Work and Social Work Practice Act (225 ILCS 20);
- 3) a Social worker with a minimum of a Bachelor's degree in social work, social sciences or counseling. A Bachelor's of Social Work

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

or a Master's of Social Work from a school accredited by any organization nationally recognized for the accreditation of schools of social work is preferred; or

- 4) a Vocational Specialist holding a certification in Rehabilitation Counseling or a minimum of 3 years working with people with disabilities;

- 5) Licensed Clinical Professional Counselor (LCPC), licensed pursuant to the Professional Counselor and Clinical Professional Counselor Licensing Act of 1998 (225 ILCS 107);

- 6) Licensed Professional Counselor (LPC), licensed pursuant to the Professional Counselor and Clinical Professional Counselor Licensing Act (225 ILCS 107);

- 7) Certified Case Manager (CCM) with certification in case management from an appropriate certifying organization.

- c) Each Case Manager shall have no more than 30 customers. Incremental increases may be considered when the Case Manager demonstrates the capacity to competently provide case management services for Brain Injury Waiver cases. Subsequent to this determination, cases may be increased in increments of up to 15 cases. This capacity will be determined when the Case Manager maintains a competence rate of at least 98% for a period of at least three months at a full caseload size of 30 customers, using the process outlined in 89 Ill. Adm. Code CH. I SECTION 686.1025(b).

- d) Annually, each Case Manager shall receive at least 12 hours of in-service training. The training must be relevant to the provision of services to persons with brain injuries.

(Source: Amended at 25 Ill. Reg. 6288, effective _____.)

Section 686.1030 Monitoring and Liability

- a) The HSP staff shall monitor the Case Manager to assure compliance with this Subpart by:

- 1) reviewing Provisional Case Managers as set forth in subsection (d) of this Section;

- 2) reviewing, on an annual basis, a random sample of 10% of the cases handled in the preceding 12 months or two cases, whichever is greater; and

- 3) visiting, at least annually, all contracting case management agencies.

- b) The HSP supervisory staff shall monitor the service plans of customers served by a Case Manager to ensure that:

- 1) The Case Manager is monitoring the customer's case by carrying out at least one ~~face-to-face~~ ~~visit~~ ~~and~~ ~~two~~ ~~other~~ ~~contact~~ ~~contacter~~ monthly;
- 2) The Case Manager is reassessing the service plan at least every six months;

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 3) Each of the reassessments undertaken by the Case Manager is complete and accurate;
- 4) Any amendments to the service plan are consistent with the findings of the reassessment;
- 5) The service plan remains cost effective (i.e., the cost of the service plan is equal to or less than the State's costs for nursing facility care); and
- 6) The service plan is approved by the customer's physician or neuro-psychologist.

c) Liability.

- 1) DHS is not liable for actions of the Case Manager and the Case Manager must agree to hold DHS harmless against any and all liability, loss, damage, costs or expenses arising from wrongful or negligent acts of the Case Manager.
- 2) The Case Management provider shall certify that it has maintained and will maintain liability insurance coverage. Upon request, the Case Management provider shall make available policies, certificates of insurance or current letters documenting all insurance coverage.
- 3) The Case Management agency shall remain liable for the performance of any person, organization, unincorporated association or corporation with which it contracts.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

DEPARTMENT OF LABOR

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Illinois Child Labor Law
- 2) Code Citation: 56 Ill. Adm. Code 250
- 3) Section Numbers: Adopted Action:
250.302 New Section
- 4) Statutory Authority: Implementing and authorized by Section 8.1 (a) of the Child Labor Law (820 ILCS 205/8.1 (a)).
- 5) Effective Date of Amendment: April 20, 2001
- 6) Does this rulemaking contain an automatic repeal by reference? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 24 Ill. Reg. 17711 (Dec. 8, 2000)
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Difference Between Proposal and Final Version: No substantive changes have been made in the text of the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace emergency amendments currently in effect? Yes
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: Section 8.1 (a) of the Child Labor Law [820 ILCS 205/8.1 (a)] charges the Department of Labor with the duty to write rules imposing reasonable conditions for the employment of minors under 16 years of age in television, motion pictures, or related entertainment productions. This rulemaking mirrors the regulatory standards of Illinois' sister states, such as California, New York and Michigan.
- 16) Information and questions regarding these adopted amendments shall be directed to:
William Rolando, Deputy Director

DEPARTMENT OF LABOR

NOTICE OF ADOPTED AMENDMENTS

Illinois Department of Labor
One West Old State Capital Plaza, Room 300
Springfield, Illinois 62701
(217) 782-1704 (telephone)
(217) 782-0596 (telefax)

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF LABOR

NOTICE OF ADOPTED AMENDMENTS

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER I: DEPARTMENT OF LABOR
SUBCHAPTER b: REGULATION OF WORKING CONDITIONS

PART 250

ILLINOIS CHILD LABOR LAW

SUBPART A: DEFINITIONS

Section	Definition of the Act
250.100	Definitions
250.105	Minor (Repealed)
250.110	Agriculture (Repealed)
250.115	Week (Repealed)
250.120	Work (Repealed)
250.125	Time Record (Repealed)
250.130	Premises (Repealed)
250.135	Suffer (Repealed)
250.140	Garage (Repealed)
250.145	Employer and All Interested Parties (Repealed)
250.150	

SUBPART B: EMPLOYMENT CONDITIONS SUBJECT TO THE ACT

Section	Employers Subject to the Act
250.200	Employers Assisting Employees of Tax Supported School Lunch Programs
250.205	Movie Theatres
250.210	Car Wash
250.215	Employment in or about Airfields
250.220	Office and Ice Cream Dispensing Equipment
250.225	Enclosed, Self-sealing Automatic Dishwashers
250.230	Power Driven Machinery
250.235	Exhibition Park or Place of Amusement
250.240	Employment in Establishments Selling Package Liquors
250.245	Shopping Malls and Similar Structures Containing Two or More Buildings
250.250	Performances in Alcoholic Beverage Serving Establishments Excepting those Theatrical Productions in Sec. 8 of the Act
250.255	Employment of Minors as Models
250.260	Parent/Guardian Required Presence at Performance
250.265	Non-Resident Minor Seeking Employment
250.270	

SUBPART C: HOURS OF EMPLOYMENT

Section	Number of Days Employment Limit
250.300	Section 8.1(a) Work Hours Exception
250.302	

DEPARTMENT OF LABOR
NOTICE OF ADOPTED AMENDMENTS

250.305 Applying for a Section 8.1(b) Work Hours Waiver
250.310 Issuance of a Section 8.1(b) Work Hours Waiver
250.315 Section 8.1(b) Work Hours Waiver Record Keeping and Disclosure Requirements

SUBPART D: EMPLOYMENT CERTIFICATE ISSUING OFFICERS

Section Issuing Officers are responsible for:

SUBPART E: RESPONSIBILITIES OF EMPLOYERS

Section The Employer shall:

SUBPART F: APPLICABILITY OF THE ILLINOIS ADMINISTRATIVE PROCEDURE ACT

Section Revocation of Employment Certificates; Civil Penalty Assessments

SUBPART G: HEARING PROCESS

Section Procedure and Time Table for Suspension or Revocation of Employment Certificates
250.705 Procedure for Child Labor Penalty Assessment
250.710 Assessing Penalties
250.715 Procedure for Contested Cases; Suspension or Revocation of Employment Certificates; Final Determinations of Civil Penalties

SUBPART H: EMPLOYER VIOLATIONS

Section Minimum Age
250.800 Hours of Work
250.805 Meal Period
250.810 Posting of Hours
250.815 Time Record
250.820 Hazardous Occupations
250.825 Minor Under Sixteen Appearing in Theatrical Productions
250.830 Employment Certificate Required
250.835 Duties of Employers
250.840 Violations of Section 250.260 of the Rules and Regulations Pertaining to Employment of Minors as Models
250.850 Parent/Guardian Not Present at Performance
250.855 Minors Under Sixteen Appearing in Television or Motion Picture

DEPARTMENT OF LABOR

NOTICE OF ADOPTED AMENDMENTS

Productions
250.860 Minors: Athletic or Acrobatic Activity and Stunts

AUTHORITY: Implementing Section 8.1(a) of the Illinois Child Labor Law [820 ILCS 205/8.1(a)].

SOURCE: Adopted at 2 Ill. Reg. 22, P. 64, effective May 23, 1979; amended at 5 Ill. Reg. 902, effective January 14, 1981; codified at 8 Ill. Reg. 18483; emergency amendment at 15 Ill. Reg. 16132, effective October 25, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 5335, effective March 24, 1992; emergency amendment at 18 Ill. Reg. 16699, effective October 25, 1994, for a maximum of 150 days; amended at 19 Ill. Reg. 6564, effective May 2, 1995; amended at 20 Ill. Reg. 6449, effective April 29, 1996; emergency amendment at 24 Ill. Reg. 17850, effective November 20, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 864, effective January 5, 2001; amended at 25 Ill. Reg. 6291, effective _____.

SUBPART C: HOURS OF EMPLOYMENT

Section 250.302 Section 8.1(a) Work Hours Exception

Minors 9 to 15 years of age employed, permitted or allowed to work in a television, motion picture, or related entertainment production (as television, motion picture or related entertainment production is defined in Section 250.105 of this Part) may be permitted at the place of employment for a maximum of 9 hours. Such 9 hour periods shall consist of not more than 5 hours of work and an average of 3 hours of schooling by a studio teacher (tuor), during a calendar week when the minor's school is in session. The studio teacher shall assure that the minor receives at least 1 hour of rest and recreation. On days when the minor's school is not in session, working hours may be increased to 7 hours, with 1 hour of rest and recreation.

(Source: Added at 25 Ill. Reg. 6291, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois

- 2) Code Citation: 17 Ill. Adm. Code 810

- 3) Section Numbers: Adopted Action:

810.35 Amendment

810.37 Amendment

810.45 Amendment

810.70 Amendment

- 4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].

- 5) Effective Date of Amendments: March 26, 2001

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this rulemaking contain incorporations by reference? No

- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Notice of Proposal Published in Illinois Register: December 15, 2000, 24 Ill. Reg. 17877

- 10) Has JCAR issued a Statement of Objection to these amendments? No

- 11) Differences between proposal and final version: None

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements? Yes

- 13) Will this rulemaking replace an emergency rulemaking currently in effect?
No

- 14) Are there any amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
810.45	Amended	25 Ill. Reg. _____

- 15) Summary and Purpose of Rulemaking: Changes were necessary for the maintenance and/or production of quality fisheries in State-managed waters. The changes include updating Statewide sportfishing regulations,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

amending individual site-specific fishing regulations, and updating the "Free Fishing Days" dates for the year 2001.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price
Department of Natural Resources
524 S. Second Street, Room 430
Springfield IL 62701-1787
217/782-1809

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 810

SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section	
810.10	Sale of Fish and Fishing Seasons
810.20	Snagging
810.30	Pole and Line Fishing Only (Repealed)
810.35	Statewide Sportfishing Regulations - Daily Catch and Size Limits
810.37	Definitions for Site Specific Sportfishing Regulations
810.40	Daily Catch and Size Limits (Repealed)
810.45	Site Specific Water Area Regulations
810.50	Bait Fishing
810.60	Bullfrogs (Repealed)
810.70	Free Fishing Days
810.80	Emergency Protective Regulations
810.90	Fishing Tournament Permit
810.100	Bed Protection

AUTHORITY: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendment at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4658, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendment at 12 Ill. Reg. 6984, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendment at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendment at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendment at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days; emergency expired February 1, 1990; emergency amendment at 13 Ill. Reg. 15118,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendment at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8598, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendment at 15 Ill. Reg. 5430, effective March 27, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendment at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3777, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 12652, effective August 9, 1994; amended at 19 Ill. Reg. 2396, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5262, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10614, effective July 1, 1995; amended at 20 Ill. Reg. 4640, effective March 6, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 21 Ill. Reg. 9389; amended at 21 Ill. Reg. 4709, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 5590, effective April 15, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12140, effective August 26, 1997; amended at 22 Ill. Reg. 4930, effective March 2, 1998; amended at 23 Ill. Reg. 3434, effective March 8, 1999; emergency amendment at 23 Ill. Reg. 7317, effective June 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 8406, effective July 7, 1999; amended at 24 Ill. Reg. 3736, effective February 25, 2000; amended at 25 Ill. Reg. ~~4246~~ effective

Section 810.35 Statewide Sportfishing Regulations - Daily Catch and Size Limits

- Length is measured from the tip of the snout to the end of the tail with the fish laid flat on a ruler, with the mouth of the fish closed and the tail lobes pressed together.
- No fish species may be dressed (fileted or head and tail removed) on any waters to which length or bag limits are applicable. Regardless of where taken, no fish less than the specified minimum length or more than the daily catch shall be possessed while taking from, on or, any waters to which length or bag limits and/or daily catch limits apply. While taking from areas designated as "catch and Release Only", all catch and release species must be immediately released back into the waters from which taken.
- Statewide limits by type of fish:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

1) CHANNEL CATFISH

There are no daily catch or size limits except in those waters listed under Site Specific Regulations.

- 2) LARGemouth BASS, Smallmouth BASS, SPOTTED BASS
Daily catch limit is 6 bass, either singly or in the aggregate, except as specified under Site Specific Regulations. In streams and rivers (excluding the mainstem of the Mississippi, Ohio and Wabash Rivers) the daily creel can contain no more than 3 smallmouth bass. There is no statewide size limit.

3) MUSKELLUNGE, NORTHERN PIKE AND THEIR HYBRIDS

A) All muskellunge and muskellunge hybrids (tiger muskie) taken must be 36 inches in total length or longer, except as specified under Site Specific Regulations.

B) No more than 1 muskellunge or muskellunge hybrid (tiger muskie), either singly or in the aggregate, may be taken per day, except as specified under Site Specific Regulations.

C) All northern pike taken must be 24 inches in total length or longer, except in the Mississippi River and Ohio River where there is no size limit.

D) No more than 3 northern pike may be taken per day, except as specified under Site Specific Regulations.

4) CRAPPIE (WHITE, BLACK OR HYBRID CRAPPIE)

There are no catch or size limits except in those waters listed under Site Specific Regulations.

5) BLUEGILL AND REDEAR SUNFISH

There are no catch or size limits except in those waters listed under Site Specific Regulations.

6) STRIPED BASS (OCEAN ROCKFISH), WHITE BASS AND GYBRIDS

There are no daily catch limits or minimum size limits for striped bass (ocean rockfish), white bass, and their hybrids, which are less than 17 inches in total length, except in those waters listed under Site Specific Regulations. For these fish 17 inches in total length or longer, the daily limit is 3 fish, either singly or in the aggregate, except in the Mississippi River between Illinois and Missouri where there is a 30 fish daily creel limit for all striped, white, or hybrid striped bass.

7) TROUT AND SALMON

Daily catch limit is 5 trout or salmon, either singly or in the aggregate.

8) WALLEYE, SAUGER OR THEIR HYBRID

A) All walleye, sauger, or their hybrid taken must be 14 inches in total length or longer, except in the Mississippi River, Ohio River, Wabash River, or as specified under Site Specific Regulations.

B) Daily catch limit is 6 walleye, sauger or their hybrid, either singly or in the aggregate, except in those waters listed under Site Specific Regulations.

9) RIVER RUFFE

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

There are no catch or size limits. Possession of living river ruffe is prohibited.

10) GOBIES (ROUND, TUBENOSE)

There are no catch or size limits. Possession of living gobies is prohibited.

11) RUSTY CRAWFISH

Possession of living rusty crayfish is prohibited for all except the holders of an approved aquaculture permit with a letter of authorization to import/possess this species.

12) RUDD
There are no catch or size limits. Possession of living rudd is prohibited.

(Source: Amended at 25 Ill. Reg. 6296, effective

Section 810.37 Definitions for Site Specific Sportfishing Regulations

a) Site Specific Regulations are listed by water area affected. The coverage of the regulation is dictated by the extent of the water area listed and not by the county. In some cases, regulations for a given water area or site may extend beyond the counties listed. The counties listed refer to the location of the dam or outfall for impoundments or mouths of small streams. Since large rivers or streams usually flow through many counties, the term "Multiple" is used rather than listing all counties where the large stream or river flows.

b) The subsections listed below are referred to by number in Section 810.45. Each water area listed in Section 810.45 has numbers in parenthesis which explain all of the definitions in this Section which apply to that water area.

1) Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures attached while fishing, except that legal size cast nets, (in accordance with subsection 810.50(a)(1)) shad scoops, and minnow seines may be used to obtain shad, minnows, and crayfish to use as bait, provided that they are not sold.

2) All jugs set in a body of water shall be under the immediate supervision of the fisherman. Immediate supervision shall be defined as the fisherman being on the water where the jugs are set and readily available to identify jugs to law enforcement officials. Possession of yellow perch under 6 inches in total length or over 10 inches in total length is prohibited. Only yellow perch 6 to 10 inches in total length may be harvested.

3) All largemouth and smallmouth bass taken must be less than 12 inches in total length or greater than 15 inches in total length.

4) Except that sport fishermen shall be allowed to use trotlines, jugs, and by hand, except that the use and aid of underwater breathing devices is prohibited. West of Wolf Creek Road,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

fishing from boats is permitted all year. Trotlines/jugs must be removed from sunrise until sunset from Memorial Day through Labor Day. East of Wolf Creek Road, fishing from boats is permitted from March 15 through September 30. Fishing from the bank is permitted all year only at the Wolf Creek and Route 148 causeways. On the entire lake, jugs and trotlines must be checked daily and must be removed on the last day they are used. It is illegal to use stakes to anchor any trotlines; they must be anchored only with portable weights and must be removed on the last day they are used. The taking of carp and buffalo with bow and arrow is permissible.

- 5) Except that sport fishermen may take carp, carp suckers, buffalo, gar, bowfin and suckers by pitchfork, gigs, bow and arrow or bow and arrow devices.
- 6) Including the Fox River south of the Illinois-Wisconsin line to the McHenry Dam.
- 7) Except that sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs or spears during May and June.
- 8) Daily catch limit includes Striped Bass, White Bass, Yellow Bass and Hybrid Striped Bass either singly or in the aggregate.
- 9) Catch and Release Fishing Only means that fish (all or identified species) caught must be immediately released alive and in good condition back into the water from which it came.
- 10) It shall be illegal to process trout during the period of October 1 to 5 a.m. on the third Saturday in October (both dates inclusive) which were taken during that period.
- 11) It shall be illegal to possess trout during the period of March 15 to 5 a.m. on the 1st Saturday in April (both dates inclusive) which were taken during that period.
- 12) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 6 fish per day, no more than one of which shall be greater than 15 inches in length and none of which shall be greater than 12 inches and less than or equal to 15 inches in length.
- 13) Except that jug fishing is permitted from the hours of sunset to sunrise, and except that carp and buffalo may be taken by bow and arrow devices from May 1 through September 30. All jugs must have owner's/user's name and complete address affixed.
- 14) Daily catch limit includes all fish species (either singly or in the aggregate) caught within each of the following fish groupings.
 - A) Largemouth or Smallmouth Bass
 - B) Walleye, Sauger, or their hybrid
 - C) Bluegill or Redear Sunfish
 - D) Channel or Blue Catfish
- 15) Daily catch limit includes white, black, or hybrid crappie either singly or in the aggregate.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 16) Daily catch limit includes Striped Bass, White Bass and Hybrid Striped Bass either singly or in the aggregate.
- 17) Daily catch limit shall not exceed 10 fish daily, no more than 3 of which may be 17 inches or longer in length.
- 18) Except that sport fishermen shall be allowed to use trotlines, jugs and bank poles; and carp, carp suckers and buffalo may be taken by bow and arrow, bow and arrow devices, gigs and spears in the portions of the lake that lie north of the Davenport Bridge and northeast of the Parnell Bridge.
- 19) No fishing within 250 yards of an occupied waterfowl blind (within the hunting area) on all Department-owned or -managed sites.
- 20) Lake Lake (including its tributary streams and those portions of the Kaskaskia River and Hurricane Creek up the U.S. Army Corps of Engineers Carlyle Lake Project boundaries), U.S. Army Corps of Engineers, Bond, Clinton, and Fayette Counties.
- 21) Lake Shelbyville (including its tributary streams and those portions of the West Okaw and Kaskaskia Rivers up to Lake Shelbyville Project boundaries), U.S. Army Corps of Engineers, Shelby and Moultrie Counties.
- 22) Rend Lake (including its tributary streams and those portions of the Big Muddy and Casey Fork Rivers up to the Rend Lake Project boundaries), Rend Lake Project Ponds, U.S. Army Corps of Engineers, Franklin and Jefferson Counties.
- 23) Lake Vermillion and the portion of the North Fork of the Vermillion River between the Lake Vermillion Dam and the Interstate Water Company's Pump Station Spillway, Vermillion County Conservation District, Vermillion County.
- 24) 10 Fish Daily Creel Limit of which no more than 6 may be walleye.
- 25) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish per day, no more than one of which may be equal to or greater than 15 inches in total length and no more than 2 of which may be less than 15 inches in total length.
- 26) Lake Vermillion - Trot line and jug finishing allowed north of Bolling Springs Road.
- 27) Except that bank fishing is prohibited. Boat fishing is permitted May 1 through August 31 during the hours of 2:00 p.m. to 8:00 p.m. See site for additional regulations and exact opening and closing dates.
- 28) Except that trotlines may be set within 300 feet from shore.
- 29) Except that carp, buffalo, suckers and carp suckers may be taken by means of pitchfork and gigs (no bow and arrow devices).
- 30) Fishing is permitted from March 15 through September 30, both dates inclusive, from sunrise to sunset. Fishing during all other times of the year is illegal and not permitted.
- 31) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

which may be equal to or greater than 15 inches in total length and no more than 2 of which may be less than 12 inches in total length.

- 32) Daily catch limit includes Striped Bass, White Bass, Yellow Bass and Hybrid Striped Bass, either singly or in the aggregate, no more than 4 of which may be 15 inches or longer in length.
- 33) It shall be unlawful to enter upon a designated waterfowl hunting area during the 7 days prior to the regular duck season, or to fish on such areas during the regular duck season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of the regular duck season through the end of duck and Canada goose season.
- 34) Except that sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs, or spears from May 1 through August 31.
- 35) Daily catch limit for Walleye, Sauger, or Hybrid Walleye, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of which may be greater than 24 inches in total length and no more than 2 of which may be less than 18 inches in total length and greater than or equal to 14 inches in total length.
- 36) Except that sport fishermen may not use a minnow seine for bait collecting in Cook County Forest Preserve District Waters (except in the Des Plaines River).
- 37) All largemouth and smallmouth bass taken must be less than 12 inches in total length or greater than 16 inches in total length. Only 1 bass greater than 16 inches and 2 bass less than 12 inches may be taken in the creel daily.
- 38) All largemouth and smallmouth bass taken must be less than 14 inches in total length or greater than 18 inches in total length. Only 1 bass greater than 18 inches and 5 bass less than 14 inches may be taken in the creel daily.
- 39) Powerton Lake shall be closed to boat traffic, except for legal waterfowl hunters, from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during the regular goose and duck season.
- 40) The 48 inch total length limit on pure muskellunge applies to that body of water listed as well as any tailwaters as defined below:

Evergreen Lake (McLean County) - including the portion of Six Mile Creek below the Evergreen Lake Dam downstream to its confluence with the Wackinaw River.

Fox Chain O' Lakes (Lake/McHenry Counties) - including those portions of the Fox River below the McHenry Dam downstream to the Route 176 Bridge and upstream to the Wisconsin - Illinois State line.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Kinkaid Lake (Jackson County) - including the portion of Kinkaid Creek below the Kinkaid Lake Dam downstream to the Route 149 Bridge.

Lake Shelbyville (Moultrie/Shelby Counties) - including the portion of the Kaskaskia River below the Lake Shelbyville Dam downstream to the State Route 128 Road Bridge near Cowden.

Lake Vermilion (Vermilion County) - including the portion of the North Fork of the Vermilion River below the Lake Vermilion Dam downstream to its confluence with the Vermilion River.

Otter Lake (Macoupin County) - including the portion of Otter Creek below Otter Lake Dam downstream to its confluence with East Otter Creek.

Pierce Lake (Winnebago County) - including the portion of Willow Creek below the Pierce Lake Dam downstream to Forest Hills Road.

Shabbona Lake (DeKalb County) - including that portion of Indian Creek below the Shabbona Lake Dam downstream to Shabbona Grove Road.

Spring Lakes (North and South) (Tazewell County) - no tailwaters.

- 41) It shall be unlawful to enter upon areas designated as waterfowl hunting areas during the 7 days prior to the start of the regular duck season, or to fish on such areas during the regular duck season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl rest areas or refuges from 10 days prior to the start of the regular duck season through the end of duck and Canada goose season.
- 42) During duck season, walk-in only access for fishing from the bank is permitted after 1:00 p.m.

(Source: Amended at 25 Ill. Reg. 6296, effective _____)

Section 810.45 Site Specific Water Area Regulations

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

Anderson Lake Fish and Wildlife Area (33)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Fulton County

Andover Lake, City of Andover

Henry County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Apple River

Jo Daviess County

Trout

- Spring Closed Season (11)

Apple River Basin - Special Management Zone (within the boundaries of Apple River Canyon State Park, including tributaries)

Jo Daviess County

All Fish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit

Argyle Lake, Argyle Lake State Park

McDonough County

All Fish

Bluegill or Redear

Sunfish (14)

Channel Catfish

Hybrid Walleye

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)

- 10 Fish Daily Creel Limit

- 3 Fish Daily Creel Limit

- 6 Fish Daily Creel Limit

- 1 Fish more than 15" and/or

- 5 less than 12" Daily (12)

- Fall Closed Season (10)

- 10 Fish Daily Creel Limit

- 9" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 10 Fish Daily Creel Limit

- 9" Minimum Length Limit

Arrowhead Heights Lake, Village of Camp Point

Adams County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Ashley Reservoir, City of Ashley

Washington County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length

Auburn Park Lagoon, Chicago Park District

Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Axehead Lake, Cook County Forest Preserve

Cook County

All Fish

Large or Smallmouth Bass

Trout

Trout

- 2 Pole and Line Fishing Only (1)
- 36"
- 14" Minimum Length Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Baker Lake, City of Peru

LaSalle County

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Baldwin Lake, Baldwin Lake Conservation Area

Randolph County

All Fish

Large or Smallmouth Bass

Striped, White, or Hybrid

Striped Bass

Striped, White, or Hybrid

Striped Bass (16)

White, Black, or Hybrid

Crappie (15)

White, Black, or Hybrid

Crappie

- 2 Pole and Line Fishing Only (1)
- 18" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit

Banana Lake, Lake County Forest Preserve District

Lake County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

Large or Smallmouth Bass

Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Fall Closed Season (10)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Trout	- Spring Closed Season (11)
Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33) Peoria/Hulton Counties	
All Fish	- 2 Pole and Line Fishing Only (1)(34)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12"-18"
	- Protected Slot Length Limit (no possession)
Pure Muskellunge	- 42" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
Batchtown Wildlife Management Area (33) Calhoun County	
Baumann Park Lake, City of Cherry Valley	
Winnebago County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Beall Woods Lake, Beall Woods Conservation Area Wabash County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Spring Closed Season (11)
Trout	- Fall Closed Season (10)
Beaver Dam Lake, Beaver Dam State Park Macoupin County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Beck Lake, Cook County Forest Preserve District Cook County	- 2 Pole and Line Fishing Only (1)(36)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	- 14" Minimum Length Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	
Belk Park Pond, City of Wood River Madison County	
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Beilleau Lake, Cook County Forest Preserve District Cook County	
All Fish	- 2 Pole and Line Fishing Only (36)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Bevier Lagoon, Waukegan Park District Lake County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Bird Park Quarry, City of Kankakee Kankakee County	
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Bowen Lake, City of Washington Tazewell County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12"-15" Protected Slot Length Limit (no possession)
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Borah Lake, City of Olney Richland County	
All Fish	- 2 pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Boston Pond, Stephen A. Forbes State Park	

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Canton Lake, City of Canton
Fulton County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Channel or Blue Catfish (14)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)

Carbondale City Reservoir, City of Carbondale
Jackson County

- 15" Minimum Length Limit
- Large or Smallmouth Bass
- 3 Fish Daily Creel Limit
- Bass (14)

Carlinville Lake #2, City of Carlinville
Macoupin County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Channel Catfish

Carlton Silt Basin, State of Illinois
Whiteside County

- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- Bluegill or Redear Sunfish
- Bluegill or Redear Sunfish (14)
- Large or Smallmouth Bass
- Catch and Release Fishing Only (9)

Carlyle Lake, U.S. Army Corps of Engineers (20) (33)
Clinton/Bond/Fayette Counties

- 14" Minimum Length Limit
- Large or Smallmouth Bass
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie
- 10" Minimum Length Limit

Carthage Lake, City of Carthage
Hancock County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Channel Catfish

Cedar Lake, U.S. Forest Service and
City of Carbondale
Jackson County (19)

- 2 Pole and Line Fishing Only (1)
- (5)
- 14"-18" Protected Slot Length Limit (no possession)
- 2 Fish Under 14" and 2 Fish Over 18" Daily Creel Limit
- Large or Smallmouth Bass
- Large or Smallmouth Bass
- Striped, White, or Hybrid

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Striped Bass

- 17" Minimum Length Limit
- Striped, White, or Hybrid
- Striped Bass (16)

Centralia Foundation Park Catfish Pond, Centralia Park Foundation
Marion County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Channel Catfish

Centralia Lake, City of Centralia
Marion County

- 15" Minimum Length Limit
- Large or Smallmouth Bass

Cermack Quarry, Cook County Forest Preserve District
Cook County

- 2 Pole and Line Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass

Champaign Park District Lakes (Kaufman Lake, Heritage Lake, and Mattis Lake), Champaign Park District
Champaign County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass
- Bass (14)
- 1 Fish Daily Creel Limit

Charleston Lower Channel Lake, City of Charleston
Coles County

- 2 Pole and Line Fishing Only (1)
- All Fish

Charleston Side Channel Lake, City of Charleston
Coles County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- 3 Fish Daily Creel Limit

Charlie Brown Lake & Pond, City of Flora
Clay County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Charter Oak North - Peoria Park District Lake, Peoria Park District
Peoria County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Charter Oak South - Peoria Park District Pond, Peoria Park District
Peoria County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
2 Pole and Line Fishing Only (1)
6 Fish Daily Creel Limit
15" Minimum Length Limit
1 Fish Daily Creel Limit
- Chauncy Marsh (19)
Lawrence County
Chicago River (including its North Branch, South Branch, and the North Shore Channel)
Cook County
Yellow Perch
Yellow Perch
Yellow Perch
- 15 Fish Daily Creel Limit
--~~9A-to-19A-Harvet-Stat-Length~~
Limit-(2)--~~Possession-of-Yellow~~
Perch-Under-9A--or-over-19A-is
Prohibited
- Closed During July June
- Chenoa City Lake, City of Chenoa
McLean County
All Fish
Citizen's Lake, City of Womamouth
Warren County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Trout
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Fall Closed Season (10)
- Clear Lake, Kickapoo State Park
Vermillion County
All Fish
Channel Catfish
Trout
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Clinton Lake, Clinton Lake State Recreation Area (19)
DeWitt County
All Fish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie
- 2 Pole and Line Fishing Only (1)(18)
- 16" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)
- 15 Fish Daily Creel Limit
- 9" Minimum Length Limit
- Coffee Lake, Coffee Lake State Fish and Wildlife Area
Montgomery County
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie
- All Jugs must be attended at all times while fishing (2)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- 9" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Coles County Airport Lake, Coles County Airport
Coles County
All Fish
Channel Catfish
Large or Smallmouth Bass
Coleta Trout Pond, State of Illinois
Whiteside County
Trout
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Fall Closed Season (10)
- Spring Closed Season (11)
- Columbus Park Lagoon, Chicago Park District
Cook County
All Fish
Channel Catfish
Cook Co. F.P.D. Lakes, Cook County Forest Preserve District
Cook County
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

All Fish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit

Coulterville City Lake, City of Coulterville
Randolph County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Crab Orchard National Wildlife Refuge - Crab Orchard Lake, U.S. Fish and Wildlife Service (19)
Williamson County
All Fish
Striped, White, or Hybrid
Striped Bass (16)
Large or Smallmouth Bass
- 10 Creel/3 Fish 17" or Longer Daily (17)
- 15" Minimum Length Limit

Crab Orchard National Wildlife Refuge - Devil's Kitchen Lake, U.S. Fish and Wildlife Service (19)
Williamson County
All Fish
- 2 Pole and Line Fishing Only (1)

Crab Orchard National Wildlife Refuge - Little Grassy Lake, U.S. Fish and Wildlife Service (19)
Williamson County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)

Crab Orchard National Wildlife Refuge. Refuge Ponds (except Visitor Pond), U.S. Fish and Wildlife Service
Williamson County
All Fish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit

Crab Orchard National Wildlife Refuge. Visitor Pond, U.S. Fish and Wildlife Service
Williamson County
All Fish (30)
- 2 pole and Line Fishing Only (1)
(5)
Large or Smallmouth Bass
- 21" Minimum Length Limit

Crawford Co. Cons. Area - Picnic Pond, Crawford County Conservation Area
Crawford County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Fall Closed Season (10)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Crawford Co. Cons. Area Ponds, Crawford County Conservation Area
Crawford County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Crull Impoundment Wildlife Management Area (33)
Jersey County

Crystal Lake, Urbana Park District
Champaign County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Dawson Lake & Park Ponds, Moraine View State Park
McLean County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Walleye, Sauger, or Hybrid
Walleye (14)
White, Black or Hybrid Crappie
White, Black or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 9" Minimum Length Limit
- 15 Fish Daily Creel Limit

Decatur Park Dist. Ponds, City of Decatur
Macon County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Deep Pit Lake, Boone County Conservation District
Boone County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Defiance Lake, Moraine Hills State Park
McHenry County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

Des Plaines River Basin - Special Management Zone (Hoffman Dam to 47th Street Bridge, including tributaries)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Cook County

- Channel Catfish
- 15" Minimum Length Limit
- 6 Fish Daily Creel Limit
- Catch and Release Only -
- No Harvest Permitted (9)
- 30" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Northern Pike
- White, Black or Hybrid
- Crappie (15)
- 10 Fish Daily Creel Limit
- Walleye, Sauger, or
- Hybrid Walleye
- Walleye, Sauger, or
- Hybrid Walleye (14)
- 1 Fish Daily Creel Limit

Des Plaines River Conservation Area (19)

Will County

Diamond Lake, City of Mundelein

Lake County

- All Fish
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Dog Island Wildlife Management Area (19)

Pope County

Dolan Lake, Hamilton County

Conservation Area

- All Fish
- Bluegill or Redear
- Sunfish
- Bluegill or Redear
- Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- 14" Minimum Length Limit

Donnelley State Wildlife Area (33)

Bureau County

Douglas Park Lagoon, Chicago Park District

Cook County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DuPage County Forest Preserve District Lakes and Ponds, DuPage County Forest Preserve District

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

DuPage County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

DuPage River - West Branch (between the dams located in the McDowell Grove Forest Preserve and the Warrenville Grove Forest Preserve)

DuPage County

- Large or Smallmouth Bass
- Catch and Release Fishing Only (9)

East Fork Lake, City of Olney

Richland County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- White, Black, or Hybrid
- Crappie (15)
- 25 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Eldon Hazlet State Park (19) (See Also Carlyle Lake)

Clinton County

Elkville City Reservoir, City of Elkville

Jackson County

- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Elliott Lake, Wheaton Park District

DuPage County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Evergreen Lake, City of Bloomington

McLean County

- All Fish
- Large or Smallmouth Bass
- Pure Muskellunge
- White, Black, or Hybrid
- Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 48" Minimum Length Limit (40)
- 25 Fish Daily Creel Limit

Paries Park Pond, City of Decatur

Macon County

- Trout
- Fall Closed Season (10)

Ferne Clyffe Lake, Ferne Clyffe State Park

Johnson County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 2 Pole and Line Fishing Only (1)(9)
- Fuller Lake (19)
Calhoun County
- Fulton County
Fulton County
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12"-15" Protected Slot Length
Limit (no possession)
- 3 Fish Daily Creel Limit
- Large or Smallmouth
Bass (14)
Blue Gill or Redear
Sunfish (14)
- Cages Lake, Wildwood Park District
Lake County
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
Walleye, Sauger, or
Hybrid Walleye
Walleye, Sauger, or
Hybrid Walleye (14)
- Gartfield Park Lagoon, Chicago Park District
Cook County
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- All Fish
Channel Catfish
- Gebhard Woods Ponds, Gebhard Woods State Park
Grundy County
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Spring Closed Season (11)
- All Fish
Channel Catfish
Large or Smallmouth Bass
Trout
- Giant City Park Ponds, Grant City State Park
Jackson and Union Counties
- 15" Minimum Length Limit
- Largemouth and Spotted Bass
- Gillespie New City Lake, City of Gillespie
Macoupin County
- 6 Fish Daily Creel Limit
- 12"-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit
- Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Gillespie Old City Lake, City of Gillespie
Macoupin County
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Glades - 12 Mile Island Wildlife Management Area (33)
Jersey County
- Gladstone Lake, Henderson County Conservation Area
Henderson County
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12"-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit
- All Fish
Bluegill or Redear Sunfish (14)
Channel or Blue Catfish (14)
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Glen Oak Park Lagoon, Peoria Park District
Peoria County
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- All Fish
Channel Catfish
- Glen Shoals Lake, City of Hillsboro
Montgomery County
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
- Godar-Diamond/Hurricane Island Wildlife Management Area (33)
Calhoun County
- Gompers Park Lagoon, Chicago Park District
Cook County
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- All Fish
Channel Catfish
- Gordon F. More Park Lake, City of Alton
Madison County
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Hidden Springs State Forest Ponds, Hidden Springs State Forest

- Shelby County
- 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 18" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Highland Old City Lake, City of Highland

- Madison County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)

Hillsboro Old City Lake, City of Hillsboro

- Montgomery County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)

Homer Guthrie Pond - Eldon Hazlet State Park, State of Illinois

- Clinton County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Homer Lake, Champaign County Forest Preserve District

- Champaign County
- 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Hornel Pond, Donnelly State Fish and Wildlife Area

- Bureau County
- 2 Pole and Line Fishing Only (1)(5)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Horseshoe Lake-Alexander Co., Horseshoe Lake Conservation Area

Alexander County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- (Only trolling motors in refuge from October 5-March 1)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Channel Catfish

Large or Smallmouth Bass

Horseshoe Lake-Madison County, Horseshoe Lake State Park (33)

- Madison County
- 2 Pole and Line Fishing Only (1)(28)(34)
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit

Horton Lake, Nauvoo State Park

- Hancock County
- 2 pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Hullit Park Big Lake, Canton Park District

- Fulton County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Humbolt Park Lagoon, Chicago Park District

- Cook County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Illinois & Michigan Canal, State of Illinois

- Grundy/LaSalle/Will Counties
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Spring Closed Season (11)

Illinois Beach State Park Ponds, Illinois Beach State Park

- Lake County
- 2 pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Illinois Department of Transportation Lake, State of Illinois

- Sangamon County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass
 - 15" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)
 Trout
 Trout

Illinois River - Pool 26 (19)

Calhoun County

Illinois River, State of Illinois

Multiple Counties

Large or Smallmouth Bass
 - 12" Minimum Length Limit

Independence Grove Lake, Lake County Forest Preserve District

Lake County

All Fish
 - 2 Pole and Line Fishing Only (1)
 Channel Catfish
 - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass (14)
 - 1 Fish Daily Creel Limit
 Large or Smallmouth Bass
 - 15" Minimum Length Limit
 Pure Muskellunge
 - 48" 36" Minimum Length Limit

Indian Boundary South Pond, Frankfort Square Park District

Will County

All Fish
 - 2 Pole and Line Fishing Only (1)
 Channel Catfish
 - 6 Fish Daily Creel Limit

Jackson Park (Columbia Basin) Lagoon, Chicago Park District

Cook County

All Fish
 - 2 Pole and Line Fishing Only (1)
 Channel Catfish
 - 6 Fish Daily Creel Limit

Jim Edgar/Panther Creek Fish and Wildlife Area, All Lakes and Jim Edgar/Panther Creek Fish and Wildlife Area

Cass County

All Fish
 - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish
 - 8" Minimum Length Limit
 Bluegill or Redear Sunfish (14)
 - 10 Fish Daily Creel Limit
 Channel Catfish
 - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass
 - 15" Minimum Length Limit
 Large or Smallmouth Bass (14)
 - 3 Fish Daily Creel Limit

Jim Edgar/Panther Creek Fish and Wildlife Area, Gurney Road Pond,

Jim Edgar/Panther Creek Fish and Wildlife Area

Cass County

All Fish
 - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish
 - 8" Minimum Length Limit
 Bluegill or Redear Sunfish (14)
 - 10 Fish Daily Creel Limit
 Channel Catfish
 - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass
 - 15" Minimum Length Limit
 Large or Smallmouth Bass (14)
 - 3 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Trout
 - Spring Closed Season (11)

Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park
Henry County

All Fish
 - 2 Pole and Line Fishing Only (1)
 Channel Catfish
 - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass
 - 14" Minimum Length Limit

Jones Park Lake, City of East St. Louis

St. Clair County

All Fish
 2 Pole and Line Fishing Only (1)
 Channel Catfish
 6 Fish Daily Creel Limit
 Trout
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Jones State Lake, Saline County Conservation Area

Saline County

All Fish
 - 2 Pole and Line Fishing Only (1)
 Channel Catfish
 - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass
 - 14"-18" Protected Slot Length Limit (no possession) (39)
 Large or Smallmouth Bass
 - 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit

Jones Lake Trout Pond, Saline County Conservation Area

Saline County

Trout
 - Fall Closed Season (10)

Jubilee College State Park Ponds,

Jubilee College State Park

Peoria County

All Fish
 - 2 Pole and Line Fishing Only (1)
 Channel Catfish
 - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass
 15" Minimum Length Limit
 Large or Smallmouth Bass (14)
 - 1 Fish Daily Creel Limit

Kankakee River Basin - Special Management Zone (Wilmington Dam to the Mouth of the Kankakee River, including tributaries)
Will/Gundy Counties

Large or Smallmouth Bass
 - 12" - 16" Protected Slot Length Limit (no possession) (37)
 Large or Smallmouth Bass (14)
 - 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit

Kankakee River Basin - Special Management Zone (Kankakee Dam to the Wilmington Dam, including tributaries)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Kankakee/Will Counties

- Large or Smallmouth Bass
- 14" Minimum Length Limit
- Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)

Kankakee River State Park (19)

Kankakee/Will Counties

Kaskaskia River Fish and Wildlife Area (19)
St. Clair/Randolph/Monroe CountiesKaskaskia River Fish and Wildlife Area - Doza Creek Wildlife Management Area (33)
St. Clair County

Kendall Co. Lake #1, Kendall County Forest Preserve District

Kendall County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit

Kent Creek

Winnebago County

- Spring Closed Season (11)

Kickapoo State Park Lakes & Ponds, Kickapoo State Park

Vermillion County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit

Kincaid City Reservoir, City of Kincaid

Christian County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit

Kincaid Lake, Kincaid Lake State Fish and Wildlife Area (19)

Jackson County

- Large or Smallmouth Bass
- 15" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit
- Pure Muskellunge
- 48" Minimum Length Limit (40)
- White, Black, or Hybrid

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Crappie

- White, Black, or Hybrid
- 9" Minimum Length Limit
- Crappie (15)
- 25 Fish Daily Creel Limit

Kimmunity Reservoir, City of Kimmunity

Marion County

- All Fish
- 2 Pole and Line Fishing Only (1)(5)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit

Lake Atwood, McHenry County Conservation District

McHenry County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Trout
- Spring Closed Season (11)

Lake Bloomington, City of Bloomington

McLean County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Bluegill or Redear
- Sunfish
- 8" Minimum Length Limit
- Bluegill or Redear
- Sunfish (14)

- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- 17" Minimum Length Limit

- Striped, White, or Hybrid
- Striped Bass (16)
- White, Black, or Hybrid
- 3 Fish Daily Creel Limit

- Crappie (15)
- 25 Fish Daily Creel Limit

Lake Carlton, Morrison-Rockwood State Park

Whiteside County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- 1 Fish Daily Creel Limit
- Pure Muskellunge
- 14" Minimum Length Limit
- White, Black, or Hybrid
- 36" Minimum Length Limit
- Crappie (15)
- 25 Fish Daily Creel Limit

Lake Chautauqua North Pool, U.S. Fish and Wildlife Service

Mason County

- Largemouth Bass
- 15" Minimum Length Limit (12)
- Minimum Length Limit when the Illinois River overflows the

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Levee System of the North Pool)

Lake Co. Forest Preserve District Lakes, Lake County Forest Preserve District
Lake County

- All Fish
- Channel Catfish
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 16" Minimum Length Limit

Lake Decatur, City of Decatur
Macon County

- All Fish
- White, Black, or Hybrid
- Crappie
- White, Black, or Hybrid
- 10 Fish Daily Creel Limit
- 10" Minimum Length Limit
- 2 Pole and Line Fishing Only (1)

Lake Depue Fish and Wildlife Area (33)
Bureau County

Lake Eureka, City of Eureka
Woodford County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Lake George, Loud Thunder Forest Preserve
Rock Island County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Pure Muskellunge
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- White, Black, or Hybrid
- Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 36" Minimum Length Limit
- 17" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit

Lake Jacksonville, City of Jacksonville
Morgan County

- All Fish
- Bluegill or Redear Sunfish
- 10 Fish Daily Creel Limit
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- White, Black, or Hybrid
- Crappie
- White, Black, or Hybrid
- Crappie
- 15" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit

Lake Kakusha, City of Mendota
LaSalle County

- All Fish
- Bluegill or Redear
- Sunfish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- White, Black, or Hybrid
- Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park
Stephenson County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- White, Black, or Hybrid
- Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 10 Fish Daily Creel Limit

Lake Mendota, City of Mendota
LaSalle County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish >or=15" &/or 2 < 12" Daily (31)

Lake Michigan (Illinois Portion), State of Illinois
Lake/Cook Counties

- Trout and Salmon
- Trout and Salmon
- 10" Minimum Length Limit
- no more than 5 fish of any one species daily, except for Lake Trout
- 2 Fish Daily Creel Limit
- 15 Fish Daily Creel Limit
- 94-to-199-Harvest-Stop Length Limit-127---Possession-of-Yellow

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Perch Under 8" or over 18" is prohibited. Taking of yellow perch from charter boats is prohibited.
 - Closed During July June
 - Catch and Release Fishing Only (no possession) (9)

Lake Milliken, Des Plaines Conservation Area

Will County

All Fish

Channel Catfish

Large or Smallmouth Bass

Trout

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- Spring Closed Season (11)

Lake Mingo & Kennekuk Cove Park Ponds, Vermillion County Conservation Area

Vermillion County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- Spring Closed Season (11)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- Spring Closed Season (11)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- Spring Closed Season (11)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- Spring Closed Season (11)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- Spring Closed Season (11)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- Spring Closed Season (11)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- Spring Closed Season (11)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- Spring Closed Season (11)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Lake Olney-Rock-Cut-State-Park

Winnebago County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

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- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

- 10" Minimum Length Limit
- 10 Fish Daily Creel Limit
- Crappie
- White, Black, or Hybrid
- Crappie (15)
- Lake Simmsippi (19)
- Whiteside County
- Lake Springfield, City of Springfield
- Sangamon County
- All Fish
- 2 Pole and Line Fishing Only (1)
- 15" minimum Length Limit
- 25 Fish Daily Creel Limit
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie
- 9" Minimum Length Limit
- Lake Storey, City of Galesburg
- Knox County
- All Fish
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 42" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Bluegill or Redear Sunfish (14)
- Channel or Blue Catfish (14)
- Large or Smallmouth Bass
- Pure Muskellunge
- Walleye, Sauger, or Hybrid
- Walleye (14)
- Lake Strini, Village of Romeoville
- Will County
- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 5 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 36" Minimum Length Limit
- 10 Fish Daily Creel Limit
- Bluegill or Redear
- Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Pure Muskellunge
- White, Black or Hybrid
- Crappie (15)
- Lake Taylorville, City of Taylorville
- Christian County
- Large or Smallmouth Bass
- White, Black, or Hybrid
- Crappie
- 15" Minimum Length Limit
- 9" Minimum Length Limit

- White, Black, or Hybrid
- Crappie (15)
- 25 Fish Daily Creel Limit
- Lake Vandalia, City of Vandalia
- Fayette County
- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- 3 Fish Daily Creel Limit
- Lake Vermilion, Vermilion County Conservation District
- Vermilion County
- All Fish
- Large or Smallmouth Bass
- Pure Muskellunge
- White, Black, or Hybrid
- Crappie
- White, Black, or Hybrid
- Crappie (15)
- 25 Fish Daily Creel Limit
- Lake Victoria, City of South Beloit
- Winnebago County
- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Lake Williamsville, City of Williamsville
- Sangamon County
- All Fish
- Channel Catfish
- LaSalle Lake, LaSalle Power Station
- LaSalle County
- All Fish
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- 2 Pole and Line Fishing Only (1)
- 1 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)
- Levings Lake, Rockford Park District
- Winnebago County
- All Fish
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

- Catch and Release Only Season
No Harvest May 1 through
June 15 (9)

Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site
Coles County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
15" Minimum Length Limit
1 Fish Daily Creel Limit

- 15" minimum Length Limit
- 3 Fish Daily Creel Limit

Lincoln Park North Lagoon, Chicago Park District
Cook County

All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Lincoln Park South Lagoon, Chicago Park District
Cook County

All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)
- No Seines

Lincoln Trail Lake, Lincoln Trail State Park
Clark County

All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Little Black Slough, Little Black Slough State Natural Area
Johnson County

All Fish
All Fish
All Fish
- 2 Pole and Line Fishing Only (1)
- No Seines

- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Little Sister Lake, County of Fulton
Fulton County

All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Little Vermilion River Basin - Special Management Zone (river mainstem and tributaries)
LaSalle County

Maple Lake, Cook County Forest Preserve District
Cook County

All Fish
Channel Catfish
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Marissa City Lake, City of Marissa
St. Clair County
Channel Catfish

- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Marquette Park Lagoon, Chicago Park District

Cook County
All Fish
Channel Catfish

Marshall County Conservation Area (Fishing Ditch), Marshall County

Conservation Area (33)
Marshall County
All Fish

- 2 Pole and Line Fishing Only (1)

Marshall County Conservation Area - Sparland Unit (19)

Marshall County

Mascoutah Reservoir, City of Mascoutah

St. Clair County

All Fish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

Massac County Fairgrounds Pond, State of Illinois

Massac County

Trout

- Fall Closed Season (10)

- Spring Closed Season (11)

Matthiessen Lake, Matthiessen State Park

LaSalle County

All Fish

Bluegill or Redear

Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)

- 10 Fish Daily Creel Limit

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

Mattoon Lake, City of Mattoon

Coles County

All Fish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)

- 14" Minimum Length Limit

Mautino Fish and Wildlife Area, Mautino Fish and Wildlife Area

Bureau County

All Fish

Bluegill or Redear

Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only

(1) (34)

- 10 Fish Daily Creel Limit

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 1 Fish Daily Creel Limit

Mauvalse Terre/Morgan Lake, City of Jacksonville

Morgan County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass

- 15" Minimum Length Limit

Mazonia Lakes & Ponds, Mazonia State Fish and Wildlife Area (33)

Grundy/Kankakee Counties County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

White, Black or Hybrid

Crapple (15)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

- 10 Fish Daily Creel Limit

McCullom Lake, City of McHenry

McHenry County

All Fish

Bluegill or Redear

Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

- 2 Pole and Line Fishing Only (1)

- 25 Fish Daily Creel Limit

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 1 Fish Daily Creel Limit

McKinley Park Lagoon, Chicago Park District

Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

McLeansboro City Lakes, City of McLeansboro

Hamilton County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

McMaster Lake and Small Ponds Lakes, Snakeden Hollow McMaster State Fish and Wildlife Area

Knox County

(All use other than waterfowl hunting prohibited from October 1 through the end of the Canada goose season)

All Fish

Bluegill or Redear

Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

Pure Muskellunge

Walleye, Sauger, or Hybrid

Walleye (14)

White, Black, or Hybrid

- 2 Pole and Line Fishing Only (1)

- 10 Fish Daily Creel Limit

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

- 4236" Minimum Length Limit

- 3 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Crappie (15)
 - 5 Fish Daily Creel Limit
- Meredosia Lake - Cass County Portion Only (meandered waters only) (33)
 Cass County
- Meredosia Lake - Cass County Portion
 Cass County
 (Meandered waters only) (All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes)
- Mernmet State Lake, Mernmet Lake Conservation Area (33)
 Massac County
- All Fish
 - 2 Pole and Line Fishing Only (1)
 (5)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 25 Fish Daily Creel Limit
- Bluegill or Redear
 Sunfish or Redear
 Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass
 White, Black, or Hybrid
 Crappie (15)
- Middle Fork Forest Preserve Ponds, Champaign County Forest Preserve
 Champaign County
- All Fish
 - 2 Pole and Line Fishing Only (1)
 - 25 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Middle Fork of the Vermillion River, Kickapoo State Park and Middle Fork Fish and Wildlife Area
 Vermillion County
- All Fish
 - 2 Pole and Line Fishing Only (1)
- Middle Fork of the Vermillion River Basin - Special Management Zone (river mainstem and tributaries)
 Vermillion/Champaign/Ford Counties
- Large or Smallmouth Bass
 Large or Smallmouth Bass
 - 14" Minimum Length Limit
 - Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)
- Mill Creek Lake, Clark County Park District

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Clark County
- All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Pure Muskellunge
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)
 - 42" Minimum Length Limit
- Mill Pond, Pearl City Park District
 Stephenson County
- All Fish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Mill Race Ponds, Belvidere Park District
 Boone County
- Trout
 - Spring Closed Season (11)
- Miller Park Lake, City of Bloomington
 McLean County
- All Fish
 Channel Catfish
 Trout
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Spring Closed Season (11)
- Mineral Springs Park Lagoon, City of Pekin
 Tazewell County
- All Fish
 Channel Catfish
 Trout
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)
- Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (19)
 Multiple Counties
- Mississippi River (between IL & IA), State of Illinois
 Multiple Counties
- Large or Smallmouth Bass
 Northern Pike
 Walleye and Sauger (14)
 Walleye
- 14" Minimum Length Limit
 - 5 Fish Daily Creel Limit
 - 10 Fish Daily Creel Limit (24)
 - 15" Minimum Length Limit
- Mississippi River (between IL & MO), State of Illinois
 Multiple Counties
 (Boating prohibited on refuge area (Ellis Bay) immediately upstream of Melvin Price Lock and Dam 26 overflow dike from October 15-April 15)
 (Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed)
 All Nongame Species Combined
 (Excludes endangered and threatened species)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- and the following game species: Crappie, Channel/Blue/Flathead Catfish, Rock Bass, Warmouth, White/Yellow/Striped/Hybrid Striped Bass, Trout, Largemouth/Smallmouth/Spotted Bass, Muskellunge, Northern Pike, Chain/Grass Pickerel, Walleye, Sauger, Paddlefish) Channel or Blue Catfish (14) Flathead Catfish Largemouth, Smallmouth, or Spotted Bass Northern Pike Striped, White, or Hybrid Striped Bass (16)
- Walleye and Sauger (14) White, Black, or Hybrid Crappie (15)
- Monroe Reservoir, Will County Forest Preserve District
Will County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
- Montrose Lake, City of Montrose
Cumberland County
All Fish
Channel Catfish
Large or Smallmouth Bass
- Mt. Olive City Lakes, City of Mt. Olive
Macoupin County
All Fish
Channel Catfish
- Mt. Olive (Old) Lake, City of Mt. Olive
- 100 Total Fish Daily Creel Limit
- 20 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- 12" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 30 Fish Daily Creel Limit - statewide regulation limiting daily creel to 3 fish 17" or longer is not in effect on the Mississippi River between Illinois and Missouri
- 6 Fish Daily Creel Limit
- 30 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 2 Pole and Line Fishing Only (1)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Macoupin County
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Mt. Pulaski Park District Lake, Mt. Pulaski Park District
Logan County
All Fish
- 2 Pole and Line Fishing Only (1)
- Mt. Sterling Lake, City of Mt. Sterling
Brown County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- Mt. Vernon City Park Lake, City of Mt. Vernon
Jefferson County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm
Jefferson County
All Fish
Trout
- 2 Pole and Line Fishing Only (1)
- Fall Closed Season (10)
- Spring Closed Season (11)
- Mundelein Park District Ponds, City of Mundelein
Lake County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Nashville City Lake, City of Nashville
Washington County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit
- Newton Lake, Newton Lake State Fish and Wildlife Area (41)
Jasper County
(The cold water arm of Newton Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)
All Fish
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- (5)
 - 18" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 White, Black, or Hybrid
- Crappie (15)
 - 10 Fish Daily Creel Limit
 White, Black, or Hybrid
 Crappie
- 10" Minimum Length Limit
- Norris City Reservoir, City of Norris City
 White County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- North Macomb Campground Pond, U.S. Army Corps of Engineers
 Franklin County
 Recreational Use Restrictions
 - Fishing permitted only by persons under 16 years of age
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Oakford Conservation Area (Menard County) (19)

Menard County

Oakland City Lake, City Lake, City of Oakland

Coles County

- All Fish
 Channel Catfish
 Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Oblong Lake, City of Oblong

Crawford County

- All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Ohio River (between Illinois & Kentucky), State of Illinois

Multiple Counties (19)

- Large or Smallmouth Bass
 Northern Pike
 Muskie or Tiger Muskie
 Muskie or Tiger Muskie
 Walleye, Sauger, or Hybrid
 Walleye (14)
 White, Black, or Hybrid
- 12" Minimum Length Limit
 - No Length or Creel Limit
 - 2 Fish Daily Creel Limit
 - 30" Minimum Length Limit
 - 10 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Crappie (15)
 Striped, White, Yellow or Hybrid
 Striped Bass
 Daily (32)
- 30 Fish Daily Creel Limit
 - 30 Creel/4 Fish 15" or Longer
 Daily (32)
- Ohio River-Smithland Pool Tributary Streams (in Pope/Hardin/Gallatin Counties, excluding Wabash River and Saline River Above Route 1 Bridge) (19)
 Multiple Counties
 Large and Smallmouth Bass
 - 12" Minimum Length Limit
- Olson Lake, Rock Out State Park
 Winnebago County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Omaha City Reservoir, City of Omaha
 Gallatin County
 All Fish
 Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Otter Lake, Otter Lake Water Commission

Macoupin County

- All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 Striped, White, or Hybrid
 Striped Bass (16)
 Pure Muskellunge
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 10 Creel/3 Fish 17" or Longer Daily (17)
 - 48" Minimum Length Limit (40)

Palmyra-Modesto Water Commission Lake, Palmyra/Modesto Water Commission
Macoupin County

- All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Papa Lake, City of Papa

Shelby and Christian Counties

- All Fish
 Bluegill or Redear
 Sunfish
- 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

(Powerton Lake shall be closed to boat traffic except for legal waterfowl hunters from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during the regular Canada goose and duck season)

- All Fish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 18" Minimum Length Limit
- Channel or Blue Catfish (14)
 - 1 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
 - 1 Fish Daily Creel Limit
- Striped, White, or Hybrid
 - 10 Creel/3 Fish 17" or Longer Daily (17)
 - 3 Fish Daily Creel Limit
- Walleye, Sauger, or Hybrid
 - 18" Minimum Length Limit
- Walleye (14)
 - 18" Minimum Length Limit

Prospect Pond, City of Moline
Rock Island County
Trout

- Fall Closed Season (10)

Pyramic State Park Lakes & Ponds, Pyramid State Park

- Perry County
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Channel Catfish

Ramsey Lake, Ramsey Lake State Park

- Fayette County
 - 2 Pole and Line Fishing Only (1)
 - 25 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- All Fish
 - 10 Fish Daily Creel Limit
- Bluegill or Redear Sunfish (14)
 - 9" Minimum Length Limit
- Channel Catfish
 - 9" Minimum Length Limit
- Large or Smallmouth Bass
 - 9" Minimum Length Limit
- White, Black, or Hybrid
 - 9" Minimum Length Limit
- Crapple (15)
 - 9" Minimum Length Limit
- Crapple

Ramsey Lake State Park Ponds, Ramsey Lake State Park

- Fayette County
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass

Randolph County Lake, Randolph County Conservation Area

- Randolph County
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- All Fish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Channel Catfish
 - 3 Fish Daily Creel Limit
- Large or Smallmouth Bass
 - 3 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Fall Closed Season (10)

Trout

Red Hills Lake, Red Hills State Park

- Lawrence County
 - 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
- All Fish
 - 10 Fish Daily Creel Limit
- Bluegill or Redear
 - 6 Fish Daily Creel Limit
- Sunfish
 - 15" Minimum Length Limit
- Bluegill or Redear
 - 10 Fish Daily Creel Limit
- Sunfish (14)
 - 6 Fish Daily Creel Limit
- Channel Catfish
 - 15" Minimum Length Limit
- Large or Smallmouth Bass

Red's Landing Wildlife Management Area (19)

Calhoun County
(Walk-in area closed to trespassing 7 days prior to duck season)

Redwing Slough/Deer Lake (33)

Lake County

Rend Lake, U.S. Army Corps of Engineers (22) (33)

- Franklin and Jefferson Counties
 - All bugs must be attended at all times while fishing (2)
 - 14" Minimum Length Limit
- Channel Catfish
 - 20 # Creel/3 Fish 17" or Longer Daily ****
- Large or Smallmouth Bass
 - 20 # Creel/3 Fish 17" or Longer Daily ****
- Striped, White, Yellow, or Hybrid
 - 20 # Creel/3 Fish 17" or Longer Daily ****
- Striped Bass (8)

Rend Lake Project Ponds - Jackie Branch Pond, Ina N. Borrow Pit, Green Heron Pond, North Marcum Campground Pond, U.S. Army Corps of Engineers
Franklin and Jefferson Counties
(See kids only fishing regulations for North Marcum Campground Pond)

- All Fish
 - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear
 - 10 Fish Daily Creel Limit
- Sunfish (14)
 - 6 Fish Daily Creel Limit
- Channel Catfish
 - 14" Minimum Length Limit
- Large or Smallmouth Bass
 - 1 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)

Rice Lake Fish and Wildlife Area (33)

Fulton County

Ridge Lake, Fox Ridge State Park

- Coles County
 - 2 Pole and Line Fishing Only (1)
- (Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))
 - 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit
 - 14" Minimum Length Limit
- All Fish
 - 14" Minimum Length Limit
- Channel Catfish
 - 14" Minimum Length Limit
- Large or Smallmouth Bass

DEPARTMENT OF NATURAL RESOURCES

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

- Fall Closed Season (10)
- Spring Closed Season (11)

Sam Parr Lake, Sam Parr State Park
Jasper County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Channel Catfish

- Large or Smallmouth Bass

Sand Lake, Illinois Beach State Park
Lake County

- Channel Catfish
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Trout

- Fall Closed Season (10)
- Spring Closed Season (11)

Sandy Creek Basin - Special Management Zone (river mainstem and tributaries)
Marshall County

- Catch and Release Only Season - No Harvest May 1 through June 15 (9)

Sangamon Conservation Area (33)(42)
Mason/Cass/Schuyler/Wenard Counties

Sangchris Lake, Sangchris Lake State Park
Christian/Sangamon Counties

(Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck season)

- 2 Pole and Line Fishing Only (1)
- 34"
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- 9" Minimum Length Limit

Sangchris Lake Park Ponds, Sangchris Lake State Park

- 2 Pole and Line Fishing Only (1)

All Fish

- Schiller Pond, Cook County Forest Preserve District
- Cook County
- All Fish
- 2 Pole and Line Fishing Only (1)
- 36"
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Channel Catfish

- Large or Smallmouth Bass

Schuy-Rush Lake, City of Rushville

Schuyler County

All Fish

- Channel Catfish
- White, Black, or Hybrid
- Crappie

- 9" Minimum Length Limit

Senior Citizen's Pond, Kankakee River State Park

Kankakee County

All Fish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Channel Catfish

Shabbona Lake, Shabbona Lake State Park

DeKalb County

All Fish

- Bluegill or Redear Sunfish (14)

Channel Catfish

- Large or Smallmouth Bass (14)

Large or Smallmouth Bass

Eute Muskellunge

Striped, White, or Hybrid

Striped Bass

Striped, White, or Hybrid

Striped Bass (16)

Walleye, Sauger, or Hybrid

Walleye

White, Black, or Hybrid

Crappie (15)

Shawnee National Forest Lakes & Ponds less than 10 acres, U.S. Forest Service

Multiple Counties

All Fish

Channel Catfish

Largeemouth, Smallmouth or

Spotted Bass

- 15" Minimum Length Limit

Shawnee National Forest - Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S. Forest Service

Pope County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Largemouth, Smallmouth and Spotted Bass
 - 15" Minimum Length Limit

Shawnee National Forest - Dutchman Lake, U.S. Forest Service
 Johnson County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Shawnee National Forest - Lake Glendale, U.S. Forest Service
 Pope County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Shawnee National Forest - Little Cache #1, U.S. Forest Service
 Johnson County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Shawnee National Forest - Little Cedar Lake, U.S. Forest Service
 Jackson County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Shawnee National Forest - One Horse Gap Lake, U.S. Forest Service
 Pope County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Shawnee National Forest - Pounds Hollow Lake, U.S. Forest Service
 Gallatin County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Shawnee National Forest - Tecumseh Lake, U.S. Forest Service
 Hardin County
 All Fish
 - 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish
 Largemouth, Smallmouth or Spotted Bass
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Shawnee National Forest - Turkey Bayou, U.S. Forest Service
 Jackson County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Shawnee National Forest - Whoopie Cat Lake, U.S. Forest Service
 Hardin County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Sherman Park Lagoon, Chicago Park District
 Cook County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Siloam Springs Lake, Siloam Springs State Park
 Adams County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Trout
 - 2 Pole and Line Fishing Only (1) (7)
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Silver Lake, DuPage County Forest Preserve District
 DuPage County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Bass (14)
 Trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - Spring Closed Season (11)

Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Fish and Wildlife Area
 Kendall County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Fall Closed Season (10)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Trout	- Spring Closed Season (11)
Skokie Lagoons, Cook County Forest Preserve District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	(36)
Walleye	- 14" Minimum Length Limit
Walleye	- 18" Minimum Length Limit
Small Pit Pond, Boone County Conservation District	
Boone County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Snakeden Hollow State Fish and Wildlife Area - McWister Lake and Small Ponds.	
State of Illinois	
Knox County (see McWister Lake and Small Ponds)	
Sparta City Lakes, City of Sparta	
Randolph County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Sparta "A" Lake, City of Sparta	
Randolph County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
Spencer Lake, Boone County Conservation District	
Boone County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Bass (14)	- 1 Fish Daily Creel Limit
Spring Lake, City of Macomb	
McDonough County	
All Fish	
Channel Catfish	- 2 Pole and Line Fishing Only (1) (5)
Large or Smallmouth Bass	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 15" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 3 Fish Daily Creel Limit
Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit
Spring Lakes (North & South), Spring Lake Conservation Area (33)	
Tazewell County	
All Fish	- 2 Pole and Line Fishing Only (1) (7)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-15" Slot Length Limit (3)
Bass (14)	- 3 Fish Daily Creel Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
Crappie (15), or Hybrid White, Black, or Hybrid Crappie	- 25 Fish Daily Creel Limit
Crappie	- 9" Minimum Length Limit
Spring Pond, Flagg-Rochelle Park District	
Ogle County	
All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Starved Rock State Park (19)	
LaSalle County	
Staunton City Lake, City of Staunton	
Macoupin County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Stephen A. Forbes State Park (19)	
Marion County	

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Sterling Lake, Lake County Forest Preserve District

- Lake County
- All Fish
 - 2 Pole & Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 4836" Minimum Length Limit
 - Pure Muskellunge

Storm Lake, DeKalb Park District

- DeKalb County
- All Fish
 - 2 Pole and Line Fishing (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - Channel Catfish
 - Large or Smallmouth Bass
 - Large or Smallmouth Bass (14)
 - 1 Fish Daily Creel Limit

Stump Lake Wildlife Management Area (33)

Jersey County

Tampier Lake, Cook County Forest Preserve District

- Cook County
- All Fish
 - 2 Pole and Line Fishing Only (36)
 - Bluegill or Redear
 - Bluegill or Redear
 - Sunfish
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 18" Minimum Length Limit

Taylorville Park District Pond, Taylorville Park District

- Christian County
- All Fish
 - 2 Pole and Line Fishing Only (1)
 - Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area
 - Hamilton/Jefferson Counties (19)
 - (Areas designated as refuge are closed to all access during the Canada goose season)
 - All Fish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Tilton City Lake, City of Tilton

Toledo Reservoir, City of Toledo

Cumberland County

All Fish

Channel Catfish

Large or Smallmouth Bass

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Channel Catfish

Turkey Bluff Ponds, State of Illinois Randolph County

- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Channel Catfish
 - Large or Smallmouth Bass
 - Large or Smallmouth Bass (14)
 - 1 Fish Daily Creel Limit

Turner Lake, Chain O'Lakes State Park

Lake County

Channel Catfish

Large or Smallmouth Bass (14)

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

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Large or Smallmouth Bass

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- (14)
- Vermilion County
 - 1 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
 - Vernor Lake, City of Olney
 - Richland County
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - Villa Grove East Lake, City of Villa Grove
 - Douglas County
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - Villa Grove West Lake, City of Villa Grove
 - Douglas County
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - Fall Closed Season (10)
 - Virginia City Reservoir, City of Virginia
 - Cass County
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Waddams Creek
 - Stephenson County
 - Spring Closed Season (11)
 - Walnut Point Lake, Walnut Point State Fish and Wildlife Area
 - Douglas County
 - 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)
 - Walton Park Lake, City of Litchfield
 - Montgomery County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- All Fish
 - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear
 - 8" Minimum Length Limit
- Sunfish
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Channel Catfish
 - 3 Fish Daily Creel Limit
- Large or Smallmouth Bass
 - 3 Fish Daily Creel Limit
- Bass (14)
- Wapum Lake, Cook County Forest Preserve District
- Cook County
 - 2 Pole and Line Fishing Only (1)(36)
- All Fish
 - Catch and Release Only (9)
 - 14" Minimum Length Limit
- Bluegill or Redear
 - 2 Pole and Line Fishing Only (1)
- Sunfish
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Large or Smallmouth Bass
 - 17" Minimum Length Limit
- Washington County Lake, Washington County Conservation Area
- Washington County
 - 2 Pole and Line Fishing Only (1)
 - 5)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 17" Minimum Length Limit
 - Striped Bass, or Hybrid
 - Striped White, or Hybrid
 - 3 Fish Daily Creel Limit
- Washington Park Lagoon, Chicago Park District
- Cook County
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- All Fish
 - 2 Pole and Line Fishing Only (1)
- Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)
- Trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Waverly Lake, City of Waverly
- Morgan County
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- All Fish
 - 2 Pole and Line Fishing Only (1)
- Channel Catfish
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
- Weinberg-King Pond, Weinberg-King State Park

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Schuyler County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Weldon Springs Lake, Weldon Springs State Park
Dewitt County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

West Frankfort New City Lake, City of West Frankfort
Franklin County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

West Frankfort Old City Lake, City of West Frankfort
Franklin County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

West Salem Reservoir, City of West Salem
Edwards County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

White Hall City Lake, City of White Hall
Greene County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

White Oaks Lake, City of Bloomington
McLean County
All Fish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Wilderness Pond, Fox Ridge State Park
Coles County
(Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))
All Fish
Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 5 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit

William W. Powers Conservation Area (33)
Cook County
Willow Lake, Peabody River King State Conservation Area
St. Clair County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black, or Hybrid Crappie
White, Black, or Hybrid Crappie
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit
- Fall Closed Season (10)

Wolf Lake, William W. Powers Conservation Area (33)
Cook County
All Fish
Channel Catfish
Large or Smallmouth Bass
Woodford Co. Cons. Area (Fishing Ditch), Woodford County (33)
Conservation Area
Woodford County
All Fish
- 2 Pole and Line Fishing Only (1)

Woodlawn Pond, Frankfort Square Park District
Will County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Wyman Lake, City of Sullivan
Moultrie County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Spring Closed Season (11)

Yellow Creek
Stephenson County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Trout
(Source: Amended at 25 Ill. Reg. 6296-2, effective
6/13/11)
- Spring Closed Season (11)

Section 810.70 Free Fishing Days

During the period of June 9, 9, 10, 11, 2001, 9-10, 11-12-2000, it shall be legal for any person to fish in waters wholly or in part within the jurisdiction of the State, including the Illinois portion of Lake Michigan, without possessing a sport fishing license, salmon stamp or inland trout stamp.

(Source: Amended at 25 Ill. Reg. 6296-2, effective
6/13/11)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Muzzleloading Rifles
- 2) Code Citation: 17 Ill. Adm. Code 660
- 3) Section Numbers: 660.20
Amendment 660.25
Amendment 660.30
Amendment 660.40
Amendment 660.60
- Adopted Action:
Amendment
Amendment
Amendment
Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36].
- 5) Effective Date of Amendments: April 27, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: January 26, 2001, 25 Ill. Reg. 1079
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rulemaking currently in effect?
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Amendments to this Part give residents preference in the second permit lottery, allow hunters to quarter deer to facilitate cooling of the carcass, clarify what ammunition can be used, open and close State-owned or -managed sites to deer hunting.
- 16) Information and questions regarding these adopted amendments shall be directed to:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Jack Price
Department of Natural Resources
524 S. Second Street, Room 430
Springfield IL 62701-1787
217/782-1809

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 660

WHITE-TAILED DEER HUNTING BY USE
OF MUZZLELOADING RIFLES

Section

- 660.10 Statewide Season and Permit Quotas
- 660.20 Statewide Deer Permit Requirements
- 660.21 Deer Permit Requirements - Free Landowner/Tenant Permits
- 660.22 Deer Permit Requirements - Special Hunts
- 660.25 Deer Permit Requirements - Group Hunt
- 660.30 Statewide Muzzleloading Rifle Requirements
- 660.40 Statewide Deer Hunting Rules
- 660.45 Reporting Harvest
- 660.50 Rejection of Application/Revocation of Permits
- 660.60 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36].

SOURCE: Adopted at 15 Ill. Reg. 4777, effective March 18, 1991; amended at 15 Ill. Reg. 11627, effective August 2, 1991; amended at 16 Ill. Reg. 11150, effective June 30, 1992; amended at 17 Ill. Reg. 10865, effective July 1, 1993; amended at 18 Ill. Reg. 5878, effective April 5, 1994; amended at 18 Ill. Reg. 13435, effective August 23, 1994; amended at 19 Ill. Reg. 6500, effective April 28, 1995; amended at 20 Ill. Reg. 6734, effective May 6, 1996; amended at 21 Ill. Reg. 5583, effective April 19, 1997; amended at 21 Ill. Reg. 9122, effective June 26, 1997; amended at 22 Ill. Reg. 8026, effective April 28, 1998; amended at 23 Ill. Reg. 5579, effective April 26, 1999; amended at 24 Ill. Reg. 10251, effective July 1, 2000; amended at 25 Ill. Reg. 6369, effective 6/2/00.

Section 660.20 Statewide Deer Permit Requirements

- a) Illinois resident hunters must have a current, valid "Muzzleloading Rifle Deer Permit" (\$15). Muzzleloading rifle deer permit fees for non-residents shall be \$100 for each either-sex muzzleloading permit and \$25 for each antlerless-only permit. A permit is issued for one county and is valid only in the county stated on the permit. Only applicants who receive an either-sex permit in a county or special hunt area are eligible for an antlerless-only permit for that county or special hunt area, except in counties that are specially designated for more intensive removal of does in a given year. Any such counties will be identified prior to the Random Daily Drawing Period which

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

begins in September, and a limited number of antlerless-only permits will be made available regardless of whether applicants already possess an either-sex permit. For permit applications and other information write to:

Department of Natural Resources
(Muzzleloading Rifle)
Deer Permit Office
524 South Second Street, Room 210
P.O. Box 19227
Springfield, IL 62794-9227

- b) Applications from Illinois residents for participation in the First Lottery Drawing shall be accepted through the last weekday in April of the current year. Nonresidents may not apply to participate in the First Lottery Drawing. Applications received after the last weekday in April shall not be included in this lottery. Permits shall be allocated in a computerized random drawing. Permits shall be issued as either-sex, antlerless-only or antlered only. A maximum of one either-sex and one antlerless-only permit shall be issued per person.
- c) Applicants must complete all portions of the current year permit application form, incomplete or incorrect applications will be returned along with the applicant's permit fee for correction or completion if received in the Permit Office prior to the last weekday in April of the current year.
- d) Applicants must check the antlerless-only box and enclose an additional \$15 to apply for an additional antlerless-only permit. Antlerless-only permits will be issued until the antlerless-only quota is filled for a given county or special hunt area.
- e) Permits for counties and special hunt areas with unfilled quotas after the First Lottery Drawing shall be allocated in a Second Lottery Drawing. This drawing is open only to nonresident applicants and to Illinois residents who were not previously issued firearm or muzzleloader permits for the current hunting season. Illinois residents will be given preference for permits allocated in the Second Lottery Drawing. Applications for the Second Lottery Drawing will be accepted through the tenth weekday in August of the current year. Applicants may also apply for remaining antlerless-only permits by checking the antlerless-only box and enclosing an additional \$15. A list of unfilled counties shall be announced upon becoming available after the First Lottery Drawing. Applicants must apply on a current year "Muzzleloading Rifle" Deer Permit application form. A maximum of one either-sex and one antlerless-only permit shall be issued per person.
- f) No more than 6 single applications per envelope shall be accepted during the application periods for the First and Second Lottery Drawings. Each applicant must submit a separate personal check or money order. Separate envelopes must be used to send permit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- applications to the Deer Permit Office for regular firearm, muzzleloading rifle, handgun, archery, and free or paid landowner/tenant permits.
- g) There will be an application period which starts the first working day after September 14 and ends the fifth weekday in November during which anyone (regardless of any other permit they may have, subject to the restriction in subsection (a)) can apply for muzzleloading deer permits left over from the county and special hunt area quotas. During this application period, the permits shall be issued in a random daily drawing. Applications received each day will not be processed until all applications received for that day are mixed. All processing applications received for a subsequent day. All applications for the Random Daily Drawing will be processed individually (i.e., no group applications will be processed). Applicants can apply for one or more permits during this application period. Full season antlerless-only permits shall only be issued to successful applicants that have full season either-sex permits in the county applied for. Applicants must print "September Drawing - Multiple Muzzleloader Permits" on the outside of the envelope and mark the "September Drawing - Multiple Permits" box on the muzzleloading rifle deer permit application.
- h) Hunter preference in obtaining a muzzleloading rifle permit during the First Lottery Drawing shall be given to individuals that applied for an either-sex muzzleloading permit in the previous year's First Lottery Drawing who were rejected because the quota was depleted in their county choice(s). The following criteria must be met to obtain a preference in the muzzleloading rifle First Lottery Drawing:
- 1) The applicant must apply using the official agency preprinted data-mailer application.
 - 2) The applicant must be a resident of the state, be eligible to receive a Muzzleloading Rifle Deer Permit, and not had deer hunting privileges revoked pursuant to Section 660.50.
 - 3) The applicant must apply for the same county choice(s) which he/she listed on the previous year's application. Preference will not be granted for special hunt areas.
 - 4) Where applicants apply as a group, preference for the entire group shall apply as it does above for the individual. All county choices for the group must be identical.
 - i) Applications shall be accepted at the counter window of the permit office; however, permits shall be mailed. In-person and mail-in applications will receive equal treatment in the drawings. Permits are not transferable. Refunds shall not be granted unless the Department of Natural Resources has erroneously issued the permit after the quota has been depleted or where the applicant was unsuccessful in obtaining a permit.
 - k) A \$3 service fee shall be charged for replacement permits issued by the Department, except when permits are lost in the mail, then there

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

shall be no charge. Monies derived from this source shall be deposited in the Wildlife and Fish Fund.

1) The period for accepting applications for the First and Second Lottery shall be extended if applications are not available to the public by April 1. A news release will announce the extension of the application period.

(Source: Amended at 25 Ill. Reg. 6367, effective _____)

Section 660.25 Deer Permit Requirements - Group Hunt

- a) Up to six individuals may apply to hunt as a group during the First and Second Lottery Drawings. If applicants are applying in a group, all applications for the group must be sent to the Department in the same envelope. All applications for the group shall be processed together only if they are received in the same envelope. Any applications indicating participation in a group that are not received in the same envelope shall be processed separately.
- b) Each individual must sign his or her own application.
- c) Applicants must enclose a separate check or money order for the appropriate amount for each application or the applications will be returned.
- d) In order to receive preference for the group, all members must have preference for the same county choice. If any member does not have preference for the group's first county choice, the entire group shall not receive preference.
- e) Applicants applying as a group shall be rejected if they do not list the same county choice and complete the group leader information listing the identical group leader.
- f) Since Illinois residents are given preference for permits allocated in the Second Lottery Drawing, groups containing both resident and non-resident applicants will be treated as non-residents.

(Source: Amended at 25 Ill. Reg. 6367, effective _____)

Section 660.30 Statewide Muzzleloading Rifle Requirements

- a) The only legal hunting device is a single or double barreled muzzleloading firearm of at least .45 caliber shooting a single projectile through a barrel of at least 16 inches in length. (Except that the otherwise lawful possession of rifles to take furbearing mammals and game mammals other than deer shall not be prohibited during the muzzleloading rifle deer season as set in Section 660.10.)
- b) The standards and specifications for use of such muzzleloading firearms and ammunition are as follows:
 - 1) A muzzleloading firearm is defined as a blackpowder firearm that

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 2) is incapable of being loaded from the breech end.
- 3) The minimum size of the muzzleloading firearm projectile shall be .44 caliber. A wad or sleeve is not considered a projectile or a part of the projectile. Non-expanding, military-style full metal jacket bullets cannot be used to harvest white-tailed deer; only soft point or expanding bullets (including copper/copper alloy rounds designed for hunting) are legal ammunition. ~~Fast-metal~~ **700-gr bullet cannot be used to harvest white-tailed deer.**
- 4) Only black powder or a "black powder substitute" such as Pyrodex may be used. Modern smokeless powders (nitrocellulose-based) do not qualify as a "black powder substitute".
- 5) Only percussion caps, wheellock, matchlock or flint type ignition may be used.
- 6) Removal of percussion cap or removal of prime powder from frizzen pan with frizzen open and hammer all the way down or removal of prime powder from flashpan and wheel un-wound or removal of prime powder and match with match not lit shall constitute an unloaded muzzleloading firearm.

(Source: Amended at 25 Ill. Reg. 6367, effective _____)

Section 660.40 Statewide Deer Hunting Rules

- a) The bag limit is one deer per legally authorized either-sex, antlered-only or antlerless-only permit. All either-sex permits and antlered-only permits are subject to the following restriction: no hunter, regardless of the quantity or type of permits in his/her possession, may harvest more than 2 antlered deer during a year, including the archery, muzzleloader, and firearm seasons. For purposes of this Section, deer seasons are considered to be in the same year if their opening dates fall within the same 12-month period that begins on July 1. A hunter in possession of an either-sex permit after having harvested 2 antlered deer during a year, as defined above, may only use the permit to harvest an antlerless deer. Subject to this restriction, an either-sex permit holder is allowed to take a deer with or without antlers and an antlered-only permit holder is allowed to take only a deer having at least one antler of a length of 3 or more inches. An antlerless only permit holder is allowed to take 1 or more deer without antlers or a deer having antlers less than 3 inches long.
- b) Recipients of the Muzzleloading Rifle Deer Hunting Permit shall record their signature on the permit and must carry it on their person while hunting.
- c) The temporary harvest tag shall be attached and properly sealed immediately upon kill and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the temporary harvest tag to the deer.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

The temporary harvest tag should be attached around the base of the antler of antlered deer (antlers 3 or more inches in length), and attached to the leg of antlerless deer (<3 inch antler length), or no antlers). A permanent harvest tag will be attached to the leg of the deer upon check out at the check station. If the head/antlers are delivered to a taxidermist for processing, the temporary harvest tag must accompany them and be kept with the head/antlers while at the taxidermist. If the carcass is taken to a meat processor, the permanent harvest tag must remain attached to the leg of the deer until it is processed, then must remain with the processed deer until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with their deer permit number to verify lawful acquisition. In the absence of a permit number, the tanner may rely on the written certification of the person from whom the deer was received that the specimen was legally taken or obtained. It is permissible to quarter the deer carcass prior to checking it in, so long as all parts of the carcass (except the entrails removed during field dressing) are transported together and the carcass is tagged in the appropriate location, except during the second firearm deer season (Section 660.10). However, it is illegal to possess or transport a deer carcass, prior to checking it in, without evidence of sex naturally attached. If the carcass is quartered, evidence of sex only needs to be attached to one quarter or another major part of the carcass. Evidence of sex is:

- 1) For a buck: head with antlers attached to carcass, or attached testicle, scrotum, or penis.
- 2) For a doe: head attached to carcass, or attached udder (mammary) or vulva.

d) During the second firearm deer season, the deer shall be taken whole (or field dressed) to the designated check station (either the county check station or the nearest check station to the site of the kill by the hunter in person by 8:00 p.m. of the day the deer was killed. The deer may not be quartered as during the archery deer season (17 Ill. Adm. Code 670.55)).

ed) Hunters shall not have in their possession, any deer permit issued to another person, while in the field during muzzleloading rifle deer season (permits are non-transferable).

fe) Permits will not be re-issued in cases involving deer taken which are found to be diseased or spoiled due to previous injury. Legal disposal of unfit deer taken shall be the responsibility of the hunter.

(Source: Amended at 25 Ill. Reg. 6387 -- effective _____)

Section 660.60 Regulations at Various Department-Owned or -Managed Sites

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- a) All the regulations in 17 Ill. Adm. Code 510 - General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) Only one tree stand is allowed per deer permit holder. Tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that they may be left unattended from September 15 - January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended overnight must be clearly marked with the owner's name, address, and telephone number, or site assigned identification number.
- c) It is unlawful to drive deer or participate in a deer drive on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within firearm range of one or more participating hunters.
- d) Check-in, check-out and reporting of harvest is required at those sites listed in this Section that are followed by a (2).
- e) Handicapped preferred hunting opportunities are provided at those sites listed in this Section that are followed by a (3).
- f) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (4).
- g) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (5).
- h) Statewide regulations shall apply at the following sites:

Cache River State Natural Area (1) (2)

Campbell Pond Fish and Wildlife Area (1) (2)

Carlisle Lake Wildlife Management Area except subimpoundment areas

Carlisle Lake Lands and Waters - Corps of Engineers managed lands

Chauncey Marsh (1) (2)

Crawford County Fish and Wildlife Area (1) (2)

Cypress Creek National Wildlife Refuge

Cypress Pond State Natural Area (1) (2)

Dog Island Wildlife Management Area (1) (2)

Ferne Clyffe State Park (1) (2)

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF ADOPTED AMENDMENTS

Ray Norbut Fish and Wildlife Conservation Area (2)

Rend Lake Project Lands and Waters Fish-and-Wildlife-Area (1)

Saline County Fish and Wildlife Area (1) (2)

Sand Ridge State Forest (1) (2)

Sanganois Fish and Wildlife Area (1)

Siebeck Forest Natural Area (1) (2)

Ten Mile Creek Fish and Wildlife Area (1); Belle Rive Unit only (4)

Trail of Tears State Forest (1) (2)

Turkey Bluffs Fish and Wildlife Area (1) (2)

Union County Conservation Area (Firing Line Unit only) (1) (2)

Weinberg-King State Park (2)

Wildcat Hollow State Forest (1)

i) Statewide regulations shall apply at the following sites by special permit allocated through the regular statewide drawing. Season dates that differ from the statewide dates are in parentheses. Sites that offer standby hunting are followed by a (6). At sites offering standby hunting, permit holders must register at the check station by 5:00 a.m. each day of the hunt. Unvalidated permits are void after 5:00 a.m. Vacancies each day will be filled by a drawing held at 5:00 a.m. Vacancies may be filled by any person holding a valid hunting license, Habitat Stamp, and Firearm Owner Identification Card, if required. Standby hunters will be issued a one-day site-specific deer permit at the check station, and charged a permit fee of \$5. All hunters must check out and report harvest.

Castle Rock State Park (closed during second firearm season; antlerless deer only) (2) (6)

Clinton Lake State Recreation Area (North Fork Management Unit, north of the county road at the North Fork boat ramp) (1) (2)

East Conant Field (1) (4)

Hidden Springs State Forest (closed during second firearm deer season) (1) (2)

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF ADOPTED AMENDMENTS

Fort de Chartres Historic Site (1) (2)

Giant City State Park (1) (2)

Hamilton County Fish and Wildlife Area (1) (2)

Horseshoe Lake Conservation Area - Alexander County (all portions of the Public Hunting Area except the Controlled Goose Hunting Area) (1) (2)

I-24 Wildlife Management Area (1) (2)

Jim Edgar Panther Creek State Fish and Wildlife Area West Open Unit (closed during second firearm season) (1) (2) (4)

Kaskaskia River Fish and Wildlife Area (1) ~~{Boza-Creek--Waterfowl Management-Area--is-closed-during-duck-season}~~ (2, except south of Highway 154 and north of Highway 13) {Doza Creek Waterfowl Management Area is closed during duck season}

Kickapoo State Park (closed during second firearm deer season) (1) (2)

Kinkaid Lake Fish and Wildlife Area (1) (2)

Mermet Lake Conservation Area (1) (2)

Middle Fork Fish and Wildlife Area (closed during second firearm deer season) (1) (2)

Mississippi River Pool 16 (1)

Mississippi River Pool 17 (1)

Mississippi River Pool 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Mississippi Fish and Waterfowl Management Area - Pools 25 and 26

Oakford Conservation Area (1)

~~Panther-Creek-Conservation-Area-{1}-{2}-{4}}~~

Pere Marquette State Park (hunting in designated area only) (2)

Pyramid State Park (1) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Marseilles Fish and Wildlife Area (closed during second firearm and deer season) (all tree stands must be removed from this area no later than sunset of the last day of archery deer season (1) (2) (6)

Midewin National Tallgrass Prairie (closed **not-allowed** during the second firearm deer season) (5)

Sahara Woods (1) (2)

Seto-Field-(+)-(+) (4)

Tapley Woods State Natural Area (closed during the second firearm deer season)

(Source: Amended at 25 Ill. Reg. 6367 effective _____)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

1) **Heading of the Part:** Illinois Home Health Agency Code

2) **Code Citation:** 77 Ill. Adm. Code 245

3) **Section Numbers:** Adopted Action:
245-50 Amendment
245-70

4) **Statutory Authority:** Home Health Agency Licensing Act [210 ILCS 55]

5) **Effective date of amendments:** May 1, 2001

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this rulemaking contain any incorporations by reference?** No

8) **A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.**

9) **Notices of Proposal was Published in Illinois Register:** August 4, 2000 - 24 Ill. Reg. 11565

10) **Has JCAR issued a Statement of Objection to these amendments?** No

11) **Difference between proposal and final version:** The following changes were made in response to comments received during the first notice or public comment period:

1. In the Source Note, "17213" and "November 1, 2000; amended at 24 Ill. Reg. 6379, effective 1/1/01," were added.

2. In Section 245.50, the Section Source Note was changed from "24" to "25".

3. In Section 245.70(d)(9)(F), "Toileting" was changed to "Toileting".

4. In Section 245-70, the Section Source Note was changed from "24" to "25". The following changes were made in response to comments and suggestions of the JCAR:

1. In Section 245-50(d)(1), "patient's" was inserted before "physician".

2. In Section 245-50(d)(1), "e.g." was deleted, "or" was changed to a comma and "or occupational therapist" was added after "pathologist".

3. In Section 245.70(a)(1), the period was deleted after "waiver" and "See" was changed to lowercase.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

4. In Section 245.70(a)(1), the period was deleted after "245.72".
5. In Section 245.70(a), "2" was reinstated and "Training requirements shall be met by completion of a training program approved under the Long-Term Care Assistants and Aides Training Programs Code (see 17 Ill. Adm. Code 395)." was added.
6. In Section 245.70(a)(2), "2" was deleted and "3" was reinstated.

In addition, various typographical, grammatical and form changes were made in response to the comments from JCAR.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? All changes have been made.
- 13) Will these amendments replace emergency amendments currently in effect? No
- 14) Are there any other amendments pending on this Part? No

15) Summary and purpose of the amendments: Section 245.50 has been amended to allow an initial assessment by a therapist in circumstances where the physician has ordered only therapy services. In addition, a provision is being added to allow a discharge summary to suffice as documentation to close the patient record for one-time visits and short-term or event-focused or diagnosis-focused intervention.

Section 245.70 has been amended to achieve consistency with the requirements for long-term care nursing assistants and to add requirements for home health aide competency testing. The rules are also being amended to clarify that a home health aide must be trained prior to employment.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Paul Thompson
Division of Legal Services
Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
217/782-2043
rules@lph.state.il.us

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER b: HOSPITALS AND AMBULATORY CARE FACILITIES

PART 245
ILLINOIS HOME HEALTH AGENCY CODE
SUBPART A: GENERAL PROVISIONS

Section	
245.30	Purpose
245.20	Definitions
245.25	Incorporated and Referenced Materials
Section	
245.30	Organization and Administration
245.40	Staffing and Staff Responsibilities
245.50	Services
245.60	Annual Financial Statement
245.70	Home Health Aide Training
245.72	Health Care Worker Background Check

SUBPART B: OPERATIONAL REQUIREMENTS

SUBPART C: LICENSURE PROCEDURES

Section	
245.80	Licensure Required
245.90	License Application
245.100	Provisional License
245.110	Inspections and Investigations
245.120	Violations
245.130	Adverse Licensure Actions
245.140	Penalties and Fines
245.150	Hearings

AUTHORITY: Implementing and authorized by the Home Health Agency Licensing Act [210 ICs 55].

SOURCE: Adopted at 2 Ill. Reg. 31, P. 77, effective August 2, 1978; emergency amendment at 3 Ill. Reg. 38, P. 314, effective September 7, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 40, P. 153, effective October 6, 1979; emergency amendment at 4 Ill. Reg. 18, P. 129, effective April 21, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 40, P. 56, effective September 23, 1980; emergency amendment at 6 Ill. Reg. 5855, effective April 28, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 11006, effective August 30, 1982; amended at 7 Ill. Reg. 13665, effective October 4, 1983; codified at 8 Ill. Reg. 16829; amended at 9 Ill. Reg. 4836, effective April 1, 1985; amended at 14

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

111. Reg. 2382, effective February 15, 1990; amended at 15 Ill. Reg. 5376, effective May 1, 1991; amended at 18 Ill. Reg. 2414, effective January 22, 1994; emergency amendments at 20 Ill. Reg. 488, effective January 1, 1996, for a maximum of 150 days; emergency expired May 29, 1996; amended at 20 Ill. Reg. 3273, effective February 15, 1996; amended at 20 Ill. Reg. 10033, effective July 15, 1996; amended at 22 Ill. Reg. 3948, effective February 13, 1998; amended at 22 Ill. Reg. 22050, effective December 10, 1998; amended at 23 Ill. Reg. 1028, effective January 13, 1999; amended at 24 Ill. Reg. 17213, effective November 1, 2000; amended at 25 Ill. Reg. _____.

SUBPART B: OPERATIONAL REQUIREMENTS

Section 245.50 Services

a) Services Provided

1) Each agency shall provide skilled nursing service and at least one other home health service on a part-time or intermittent basis. The basic skilled nursing service shall be provided directly by agency staff. Other home health services may be provided by agency staff directly or through a contractual purchase of services. Additional skilled specialty nursing services and use of additional nursing staff to meet changes in caseload may be provided by contract. All services shall be provided in accordance with the orders of the patient's physician or podiatrist, under a plan of treatment established by such physician or podiatrist, and under the supervision of agency staff.

2) The agency shall state in writing what services will be provided directly and what services will be provided under contractual arrangements.

3) Services provided under contractual arrangements shall be through a written agreement that includes but is not limited to the following:

- A) Services to be provided.
 - B) Provision for adherence to all applicable agency policies and personnel requirements, including requirements for initial health evaluations and employee health policies.
 - C) Designation of full responsibility for agency control over contracted services.
 - D) Procedures for submitting clinical and progress notes.
 - E) Charges for contracted services.
 - F) Statement of responsibility of liability and insurance coverage.
 - G) Period of time in effect.
 - H) Date and signatures of appropriate authorities.
 - I) Provision for termination.
- b) Acceptance of Patients. Patient acceptance and discharge policies

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

shall include but not be limited to the following:

- 1) Persons shall be accepted for health service on a part-time or intermittent basis upon a plan of treatment established by the patient's physician or podiatrist. This plan shall be in writing within 14 days.
 - 2) Prior to acceptance, the person shall be informed of the agency's charges for the various services that it offers.
 - 3) No person shall be refused service because of age, race, color, sex, marital status, national origin or source of payment. An agency is not required to accept a patient whose source of payment is less than the cost of the service.
 - 4) Patients are accepted for treatment on the basis of a reasonable expectation that the patient's medical, nursing, and social needs can be met adequately by the agency in the patient's place of residence.
 - 5) When services are to be terminated by the home health agency, the patient is to be notified three working days in advance of the date of termination, stating the reason for termination. This information shall be documented in the clinical record. When indicated, a plan shall be developed or a referral made for any continuing care.
 - 6) Services shall not be terminated until such time as the registered nurse, the appropriate therapist, or both, in consultation with the patient's physician or podiatrist, deem it appropriate or arrangements are made for continuing care.
- c) Plan of treatment
- 1) Skilled nursing and other home health services shall be in accordance with a plan based on the patient's diagnosis and assessment of the patient's immediate and long-range needs and resources. The plan of treatment is established in consultation with the home health services team, which includes the patient's physician or podiatrist, pertinent members of the agency staff, the patient and members of the patient's family. The plan of treatment shall include:
 - A) Diagnoses.
 - B) Functional limitations and rehabilitation potential.
 - C) Expected outcomes for the patient.
 - D) The patient's physician's or podiatrist's regimen of:
 - i) Medications;
 - ii) Treatments;
 - iii) Activity;
 - iv) Diet;
 - v) Specific procedures deemed essential for the health and safety of the patient;
 - vi) Mental status;
 - vii) Frequency of visits;
 - viii) Equipment required; and
 - ix) Instructions for timely discharge or referral.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- E) The patient's physician's or podiatrist's signature and date.
- 2) Consultation with the patient's physician or podiatrist on any modifications in the plan of treatment deemed necessary shall be documented, and the patient's physician's or podiatrist's signature shall be obtained within 14 days after any modification of the medical plan of treatment.
- 3) The plan shall be reviewed by the home health services team every 62 days or more often should the patient's condition warrant.
- 4) An updated plan of treatment shall be given to the patient's physician or podiatrist for review, for any necessary revisions, and for signature every 62 days or more often as indicated.
- d) Patient Care Plan
 - 1) Home health services from members of the agency staff as well as those under contractual arrangements shall be given in accordance with the plan of treatment and the patient care plan. The patient care plan shall be written by appropriate members of the home health services team based upon the plan of treatment and an assessment of the patient's needs, resources, family and environment. The initial assessment is to be made by a registered nurse. Assessment by other members of the health services team shall be made on orders of the patient's physician or podiatrist or by request of a registered nurse. In those circumstances where the patient's physician has ordered only therapy services, the appropriate therapist (physical therapist, speech-language pathologist or occupational therapist) may perform the initial assessment.
 - 2) The patient care plan shall be updated as often as the patient's condition indicates. The plan shall be maintained as a permanent part of the patient's record. The patient care plan shall indicate:
 - A) Patient problems.
 - B) Patient's goals, family's goals, service goals.
 - C) Service approaches to modify or eliminate problems.
 - D) The staff responsible for a given element of service.
 - E) Anticipated outcome of service approach with an estimated time frame for completion.
 - F) Potential for discharge from service.
- e) Clinical Records. Each patient shall have a clinical record, identifiable for home health services and maintained by the agency in accordance with accepted professional standards. Clinical records shall contain:
 - 1) Appropriate identifying information for the patient, household members and caretakers, medical history and current findings.
 - 2) A plan of treatment signed by the patient's physician or podiatrist.
 - 3) A patient care plan developed by the home health services team that is in accord with the patient's physician's or podiatrist's

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 4) A noted medication list with dates reviewed, revised and date sent to the patient's physician or podiatrist.
- 5) Initial and periodic patient assessments by the registered nurse, which include documentation of the patient's functional status and eligibility for service.
- 6) Assessments made by other members of the home health services team.
- 7) Signed and dated clinical notes for each contact, which are written the day of service and incorporated into the patient's clinical record at least weekly.
- 8) Reports on all patient home health care conferences.
- 9) Reports of contacts with the patient's physician or podiatrist by patient and staff.
- 10) Indication of supervision of home health services by the supervising nurse, a registered nurse, or other members of the home health services team.
- 11) Written summary reports sent to the patient's physician or podiatrist every 62 days containing home health services provided, the patient's status, recommendations for revision of the plan of treatment and the need for continuation or termination of services noted.
- 12) Written and signed confirmation of the patient's physician's or podiatrist's interim verbal orders.
- 13) A discharge summary giving a brief review of service, patient status, reason or reasons for discharge and plans for post discharge needs of the patient. A discharge summary may suffice as documentation to close the patient record for one-time visits and short-term or event-focused or diagnosis-focused interventions. The discharge summary need not be a separate piece of paper and may be incorporated into the routine summary reports already furnished to the physician.
- 14) A copy of appropriate patient transfer information, when requested, if the patient is transferred to another health facility or health agency.
- 15) Each agency shall have a written policy on records procedures and shall retain records for a minimum of five years beyond the last date of service provided. These procedures may include that the agency will utilize and maintain faxed copies of records from licensed professionals, rather than original records, provided that the faxed copies will be maintained on nonthermal paper and that the original records will be maintained for a period of five years by the professional who originated the records. If that professional is providing services through a contract with the agency, then the contract must include that the original records must be maintained for a period of five years by the professional.
- 16) Those agencies which are subject to the Local Records Act should

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

note that except as otherwise provided by law, no public record shall be disposed of by any officer or agency unless the written approval of the appropriate local Records Commission is first obtained. (Section 7 of the Local Records Act [50 ILCS 205/7])

17) Each agency shall have a written policy and procedure for the protection of confidentiality of patient records, which explains the use of records, removal of records and release of information.

- f) Drugs and Biologicals. The agency shall have written policies governing the supervision and administration of drugs and biologicals, which shall include but not be limited to the following:

- 1) All orders for medications to be given shall be dated and signed by the patient's physician or podiatrist.
- 2) All orders for medications shall contain the name of the drug, dosage, frequency, method or site of injection and permission from the patient's physician or podiatrist if the patient, the patient's family, or both are to be taught to give medications.
- 3) The agency's physician or podiatrist or registered nurse shall check all medicines a patient may be taking to identify possible ineffective drug therapy or adverse reactions, significant side effects, drug allergies, and contraindicated medications and shall promptly report any problem to the patient's physician or podiatrist.
- 4) All verbal orders for medication or change in medication orders shall be taken by the registered nurse, written, and signed by the patient's physician or podiatrist within 14 days.
- 5) When any experimental drug, sera, allergenic desensitizing agent, penicillin or any other potentially hazardous drug is administered, the registered nurse administering such drugs shall have an emergency plan and any drugs and devices that may be necessary in the event of a drug reaction.
- 6) Evaluation. The home health agency shall have written policies and shall make an overall evaluation of the agency's total program at least once a year. This evaluation shall be made by the Professional Advisory Group (or a committee of this group), home health agency staff, consumers, or representation from professional disciplines that are participating in the provision of home health services. The evaluation shall consist of an overall policy and administrative review and a clinical record review. The evaluation shall assess the extent to which the agency's program is appropriate, adequate, effective and efficient. Results of the evaluation shall be reported to and acted upon by those responsible for the operation of the agency and maintained separately as administrative records.
- h) Policy and Administrative Review. As a part of the evaluation process, the policies and administrative practices of the agency shall be reviewed to determine the extent to which they promote patient care that is appropriate, adequate, effective and efficient. Mechanisms shall be established in writing for the collection of pertinent data

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

to assist in evaluation. The data to be considered may include but are not limited to: number of patients receiving each service offered, number of patient visits, reasons for discharge, breakdown by diagnosis, sources of referral, number of patients not accepted with reasons and total staff days for each service offered.

- i) Clinical Record Review
 - 1) At least quarterly, members of professional disciplines representing at least the scope of the agency's programs, shall review a sample of both active and closed clinical records to assure that established policies are followed in providing services (direct, as well as those under contractual arrangement). This review shall include, but not be limited to:
 - A) Whether the patient care plan was directly related to the stated diagnosis and plan of treatment;
 - B) Whether the frequency of visits was consistent with the plan of treatment;
 - C) Whether the services could have been provided in a shorter span of time.
 - 2) Clinical records shall be reviewed continually for each 62 day period that a patient received home health services to determine the adequacy of the plan of treatment and the appropriateness of continuing home health care.

(Source: Amended at 25 Ill. Reg. 6379, effective 6/1/01)

Section 245.70 Home Health Aide Training

- a) Each home health agency shall ensure that all persons employed as home health aides or under any other title, whose duties are to assist with the personal, nursing or medical care of the patients, and who are not otherwise licensed, certified or registered in accordance with Illinois law to render such care, comply with one of the following conditions within 45 days of initial employment:
 - 1) Is approved provide documentation of registration on the Department's Nurse Aide Registry. "Approved" means that the home health aide has met the training or equivalency requirements of this section and does not have a disqualifying background check without a waiver (see Section 245.72); or
 - 2) Training requirements shall be met by completion of a training program approved under the Long-Term Care Assistants and Aides Training Programs Code (see 77 Ill. Adm. Code 395). Enrollment in a training program that has been approved by the Department under rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395) and passed the Department-approved work shall be successfully completed and the competency examination passed by the nursing assistant no later than 129

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

days after the date of initial employment, unless the training program is conducted by a community college or other educational institution on a term, semester, or trimester basis, or

- 3) Meet equivalencies established in subsection (b) of this Section.

1) Documentation of successful completion of a training course approved by another state as evidenced by a diploma or certificate, and successful completion of the written portion of the Department-established nursing assistant competency test.

- 2) Documentation of successful completion of a nursing arts course, which included at least 40 hours of supervised clinical experience, in an accredited nurse training program as evidenced by diploma, certificate or other written verification from the school, and successful completion of the written portion of the Department-established nursing assistant competency test.

- 3) Documentation of successful completion of a United States military training program that includes the content of the Basic Nursing Assistant training Program (see 77 Ill. Adm. Code 3531, as evidenced by a diploma, certification DD-214, or other written verification, and successful completion of the written portion of the Department-established approved nursing assistant competency evaluation.

- 4) Documentation of completion of a nursing program in a foreign country, including the following, and successful completion of the written portion of the Department-established competency test:

- A) A copy of the license, diploma, registration or other proof of completion of the program;
B) A copy of the Social Security card; and
C) Visa or proof of citizenship.

- c) Requests to establish equivalency shall be submitted to the Department with accompanying documentation.

- d) The Home Health Agency Home-Health-Agency is responsible for assuring that the individuals who furnish home health aide services on its behalf are competent to carry out assigned tasks in the patient's place of residence. The competency evaluation conducted by a registered nurse in the home health agency shall address each of the following subjects:

- 1) Communication skills;
- 2) Observation, reporting and documentation of patient status and the care or service furnished;
- 3) Reading and recording temperature, pulse, and respiration;
- 4) Basic infection control procedures;
- 5) Basic elements of body functioning and changes in body function that must be reported to an aide's supervisor;
- 6) Maintenance of a clean, safe and healthy environment;
- 7) Recognizing emergencies and knowledge of emergency procedures;
- 8) The physical, emotional and developmental needs of and ways to

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

work with the populations served by the home health agency, including the need for respect for the patient, his or her privacy and his or her property.

- 9) Appropriate and safe techniques in personal hygiene and grooming that include:

- A) Bed bath;
- B) Sponge, tub or shower bath;
- C) Shampoo - sink, tub, or bed;
- D) Nail and skin care;
- E) Oral hygiene;
- F) Toileting and elimination;

- 10) Safe transfer techniques and ambulation;
- 11) Normal range of motion and positioning;
- 12) Adequate nutrition and fluid intake; and

- 13) Any other task that the agency may choose to have the home health aide perform.

- e) A home health agency Home-Health-Agency shall not employ an individual as a home health aide unless the agency has inquired of the Department as to information in the Nurse Aide Registry concerning findings of abuse, neglect, or misappropriation of property.

(Source: Amended at 25 Ill. Reg. 6379, effective _____)

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Entries and Declarations
- 2) Code Citation: 11 Ill. Adm. Code 1312
- 3) Section Number: Adopted Action:
1312.200 Amended
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Amendment: May 1, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 25 Ill. Reg. 785 - 1/19/01
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the letter issued by JCAR? Yes
- 13) Will this amendment replace emergency amendments currently in effect? No
- 14) Are there any other proposed amendments pending in this Part? No
- 15) Summary and purpose of amendment: This rulemaking increases by one starter, the number of horses allowed to start in overnight races.
- 16) Information and questions regarding this adopted amendment shall be directed to:
Mickey Ezzo, Illinois Racing Board
100 West Randolph, Suite 11-100
Chicago, Illinois 60601
(312) 814-5017

The full text of the adopted amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

- TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE B: HORSE RACING
CHAPTER 1: ILLINOIS RACING BOARD
SUBCHAPTER f: RULES AND REGULATIONS OF HARNESS RACING

PART 1312

ENTRIES AND DECLARATIONS

Section	
1312.10	Entries
1312.20	Penalties
1312.30	Sale of Horse With Entrance Due
1312.40	Receipt of Entries
1312.50	Postage Meter
1312.60	Deviation From Published Conditions
1312.70	When Ineligible Horse Races
1312.80	Transfer of Ineligible Horse
1312.90	Withholding Purse When Ineligible Horse Races
1312.100	Early Closing and Late Closing Events
1312.110	Subsequent Payments
1312.120	Trust Funds
1312.130	Stable Space
1312.140	Limitation on Conditions
1312.150	Penalties
1312.160	Excess Entry Fees
1312.170	Entries and Starters Required
1312.180	Elimination Heats
1312.190	Elimination Plans
1312.200	Overnight Events
1312.210	Entry Box and Drawing of Horses
1312.220	Substitute Races
1312.230	Drivers
1312.240	Declaration and Withdrawing
1312.250	Qualifying Races
1312.260	Entry or Coupling
1312.265	Uncoupled Entries
1312.270	Husband-Wife Entries
1312.280	Also Eligibles
1312.290	Preference
1312.300	Stewards' List
1312.310	Medical Reasons for Ineligibility

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 (230 ILCS 5/9(b)).

SOURCE: Published in Rules and Regulations of Harness Racing (original date not cited in publication); amended July 12, 1974, filed July 22, 1974; amended February 13, 1976, filed March 1, 1976; amended September 19, 1975, filed

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

October 2, 1975, amended at 4 Ill. Reg. 9, P. 251, effective February 20, 1980; amended at 4 Ill. Reg. 21, P. 85, effective May 9, 1980; amended at 5 Ill. Reg. 1498, effective February 2, 1981; codified at 5 Ill. Reg. 10934; amended at 15 Ill. Reg. 2727, effective February 3, 1991; amended at 24 Ill. Reg. 7390, effective May 1, 2000; amended at 25 Ill. Reg. 6390, effective 11/1/01.

Section 1312.200 Overnight Events

Not more than 10 ~~nine~~ horses shall be allowed to start. No horse shall be entered in more than one event on the same program except where the conditions of the race provide that it shall be contested in two or more heats or dashes.

(Source: Amended at 25 Ill. Reg. 6390, effective 11/1/01.)

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Claiming Races
- 2) Code Citation: 11 Ill. Adm. Code 510
- 3) Section Number: Adopted Action:
510.210 Amended
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Amendment: May 1, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 25 Ill. Reg. 1165 - 1/26/01
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the letter issued by JCAR? N/A
- 13) Will this amendment replace emergency amendments currently in effect? No
- 14) Are there any other proposed amendments pending in this Part? Yes, 510.200.
- 15) Summary and purpose of amendment: This rulemaking reduces the time frame prohibiting the sale of a claimed thoroughbred horse from 60 days to 30.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Mickey Ezzo, Illinois Racing Board
100 West Randolph, Suite 11-100
Chicago, Illinois 60601
(312) 814-5017

The full text of the adopted amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER 1: ILLINOIS RACING BOARD

SUBCHAPTER c: RULES APPLICABLE TO ALL OCCUPATION LICENSEES

PART 510

CLAIMING RACES

Section	Definition
510.10	Claiming Eligibility
510.20	Form and Deposit of Claim
510.30	Errors which Invalidate Claim
510.40	Refund of Voided Claim
510.50	Prohibited Action with Respect to Claim
510.60	Horses under Lien
510.70	Affidavit May be Required
510.80	Claimant's Responsibility
510.90	Claimed Horse's Certificate
510.100	Engagements of a Claimed Horse
510.110	Protests of a Claim
510.120	Title to a Claimed Horse
510.130	Distribution of the Purse
510.140	Delivery of a Claimed Horse
510.150	Trainer Responsibility for Post-Race Tests
510.160	Excusing Claimed Horse
510.170	Stable Eliminated by Fire or Other Hazard
510.180	Entering Claimed Horse (Repealed)
510.190	Determining Eligibility Dates
510.195	Claimed Horse Racing Elsewhere
510.200	Sale of a Claimed Horse
510.210	Illinois Rules Govern Claimed Horse
510.220	Extension of Regular Meeting (Repealed)
510.230	Claiming Authorization
510.240	Claiming Price

AUTHORITY: Implementing and authorized by the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Adopted at 5 Ill. Reg. 1686, effective February 16, 1981; amended at 5 Ill. Reg. 8300, effective August 5, 1981; codified at 5 Ill. Reg. 10911; amended at 7 Ill. Reg. 2167, effective February 4, 1983; amended at 7 Ill. Reg. 3197, effective March 14, 1983; amended at 8 Ill. Reg. 14992, effective August 6, 1984; amended at 14 Ill. Reg. 17636, effective October 16, 1990; amended at 17 Ill. Reg. 12423, effective July 15, 1993; amended at 17 Ill. Reg. 13612, effective July 30, 1993; amended at 18 Ill. Reg. 2064, effective January 21, 1994; amended at 18 Ill. Reg. 11607, effective July 7, 1994; amended at 19 Ill. Reg. 13887, effective October 1, 1995; amended at 20 Ill. Reg. 12473, effective

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

September 1, 1996; amended at 21 Ill. Reg. 951, effective January 7, 1997; amended at 24 Ill. Reg. 7386, effective May 1, 2000; amended at 24 Ill. Reg. 12722, effective August 1, 2000; amended at 24 Ill. Reg. 97480, effective November 8, 2000; amended at 25 Ill. Reg. 0803, effective

Section 510.210 Sale of a Claimed Horse

- a) For harness racing, no horse claimed in a claiming race shall be sold or transferred wholly or in part to anyone within 60 days after the day it was claimed, except in another claiming race.
- b) For thoroughbred racing, no horse claimed in a claiming race shall be sold or transferred wholly or in part to anyone within 30 days after the day it was claimed, except in another claiming race.

(Source: Amended at 25 Ill. Reg. 6963, effective 10/1/00)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Property Tax Code
- 2) Code Citation: 86 Ill. Adm. Code 110
- 3) Section Numbers: Adopted Action:
110.113 New Section
- 4) Statutory Authority: 35 ILCS 200/10-350
- 5) Effective Date of Amendments: April 30, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 26, 2001, 25 Ill. Reg. 2319
- 10) Has JCARR issued a Statement of Objection to this Amendment? No
- 11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCARR. The changes made were grammar and punctuation or technical. No substantive changes were made.
- 12) Have all the changes agreed upon by the agency and JCARR been made as indicated in the agreement letter issued by JCARR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect?
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: Public Act 91-834 authorizes a new preferential assessment for property owned and used by a qualified fraternal organization chartered by the state of Illinois prior to 1900 or its subordinate organization of entity beginning January 1, 2001. The rule provides guidance to applicants and local officials regarding the application process and the submission and verification of required documentation to determine eligibility.
- 16) Information and questions regarding this adopted amendment shall be directed to:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Karen Alice Kloppe
Associate Counsel - Property Tax
Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield, Illinois 62794
(217) 782-6996

The full text of the adopted amendment begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE

CHAPTER I: DEPARTMENT OF REVENUE

PART 110

PROPERTY TAX CODE

- 110.101 Railroads
- 110.105 Non-carrier Real Estate of Railroads
- 110.110 Procedures for Assessment of Pollution Control Facilities and Low Sulphur Dioxide Emission Coal Fired Devices
- 110.112 Procedures for Assessment of Section 515 Low-Income Housing Projects
- 110.113 Fraternal Organization Assessment Freeze
- 110.115 Non-Homestead Exemption Proceedings
- 110.123 Oil Right Lessees and Producers
- 110.125 Reports to be Filed with the Department
- 110.130 Hearings and Records of Chief County Assessment Officers
- 110.135 Review of Assessments - Counties of 3,000,000 or More
- 110.140 Board of Review Procedures and Records - Counties of less than 3,000,000
- 110.141 Farmland Factor Review Procedures (Repealed)
- 110.145 Practice and Procedure for Hearings on Property Tax Matters Before the Illinois Department of Revenue
- 110.150 Records Reproduction
- 110.155 Course and Examination Requirements for Board of Review Members
- 110.160 Multi-township Assessment Districts
- 110.162 Township and Multi-township Assessor Qualifications
- 110.165 Farmland Assessment Review Procedures
- 110.170 Assessors' Bonus
- 110.175 Equalization by Chief County Assessment Officers in Counties with Fewer Than 3,000,000 Inhabitants
- 110.180 Supervisor of Assessments Examination
- 110.190 Property Tax Extension Limitation
- 110.192 Property Tax Extension Limitation Law Notification and Determination Requirements After Referendum Under Section 18-213 or 18-214 of the Property Tax Code

ILLUSTRATION A State of Illinois Board of Review Course and Exam Requirements

AUTHORITY: Implementing the Property Tax Code [35 ILCS 200] and authorized by Section 2505-625 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-625].

SOURCE: Adopted June 1, 1940; amended at 5 Ill. Reg. 2999, effective March 11, 1981; amended at 5 Ill. Reg. 5888, effective May 26, 1981; amended at 6 Ill. Reg. 9707, effective July 27, 1982; amended at 6 Ill. Reg. 14564, effective November 5, 1982; codified at 7 Ill. Reg. 5886; amended at 8 Ill. Reg. 24285,

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

effective December 5, 1984; amended at 9 Ill. Reg. 159, effective December 26, 1984; amended at 9 Ill. Reg. 12022, effective July 24, 1985; amended at 10 Ill. Reg. 11284, effective June 16, 1986; amended at 10 Ill. Reg. 15125, effective September 2, 1986; amended at 11 Ill. Reg. 19675, effective November 23, 1987; amended at 11 Ill. Reg. 20972, effective December 11, 1987; amended at 12 Ill. Reg. 14346, effective August 29, 1988; amended at 13 Ill. Reg. 6803, effective April 12, 1989; amended at 13 Ill. Reg. 7469, effective May 2, 1989; amended at 15 Ill. Reg. 3522, effective February 21, 1991; emergency rule added at 15 Ill. Reg. 14297, effective October 1, 1991, for a maximum of 150 days; amended at 17 Ill. Reg. 2624, effective February 4, 1992; emergency amendment at 17 Ill. Reg. 22584, effective January 1, 1994, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 15618, effective October 11, 1995; emergency amendment at 19 Ill. Reg. 2476, effective February 17, 1995, for a maximum of 150 days; emergency expired July 16, 1995; emergency amendment at 21 Ill. Reg. 3555, effective March 1, 1995, for a maximum of 150 days; emergency expired July 28, 1995; emergency amendment at 20 Ill. Reg. 7540, effective May 21, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 13611, effective October 3, 1996; amended at 20 Ill. Reg. 13993, effective October 3, 1996; emergency amendment at 20 Ill. Reg. 15613, effective November 22, 1996, for a maximum of 150 days; emergency expired on April 21, 1997; amended at 21 Ill. Reg. 6921, effective May 22, 1997; emergency amendment at 23 Ill. Reg. 9909, effective August 2, 1999, for a maximum of 150 days; emergency expired December 29, 1999; amended at 23 Ill. Reg. 14759, effective December 8, 1999; amended at 24 Ill. Reg. 2428, effective January 25, 2000; amended at 25 Ill. Reg. 191, effective December 26, 2000; amended at 25 Ill. Reg. 6398, effective

Section 110.113 Fraternal Organization Assessment Freeze

- a) For taxable year 2001 and thereafter, a fraternal organization chartered by the State of Illinois prior to 1900, or its subordinate organization or entity, may apply for a Fraternal Organization Assessment Freeze on property it owns and uses, provided that:
- 1) the fraternal organization prohibits gambling and the use of alcohol on the property;
 - 2) the fraternal organization is an exempt entity under Section 501(c)(10) of the Internal Revenue Code; and
 - 3) the members of the fraternal organization provide direct or indirect financial support for charitable works, such as:
 - A) medical care;
 - B) drug rehabilitation; or
 - C) education.

b) Applications

An application form (Form No. PPA-764) for a Fraternal Organization Assessment Freeze [35 ILCS 200/10-350] shall be obtained from the Chief County Assessment Officer in the county in which the property is located. All questions on the application shall be answered completely and the chief presiding officer of the fraternal organization shall

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

sign the form. Fraternal organizations shall annually submit a notarized application form to the Chief County Assessment Officer on or before January 31 of each assessment year in counties with a population of 3,000,000 or more and December 31 of each assessment year in all other counties.

c) Documentation

Fraternal organizations shall, at a minimum, attach all required documentation to the initial application form as follows:

- 1) Proof of being a qualified fraternal organization, such as a copy of:

- A) a charter issued by the State of Illinois prior to 1900;
- B) a certification that the fraternal organization was issued an Illinois charter prior to 1900;
- C) a certification that the fraternal organization was chartered by a qualified fraternal organization that was issued an Illinois charter prior to 1900; or
- D) a certification that the fraternal organization is subordinate to a qualified fraternal organization that was issued an Illinois charter prior to 1900.

- 2) Proof of having exempt status under Section 501(c)(10) of the Internal Revenue Code, such as a copy of:

- A) a group exemption letter from the Internal Revenue Service to a fraternal organization, plus its annual filing to the Internal Revenue Service listing any other fraternal organizations covered by the letter;
- B) a U.S. Form 990; or
- C) a determination letter issued in response to U.S. Form 1024 by the Internal Revenue Service.

- 3) Proof of having ownership or other legal or equitable interest in the property, such as a copy of:

- A) a deed;
- B) a contract-for-deed;
- C) a trust document;
- D) a title insurance policy;
- E) an organizational agreement;
- F) an incorporation document;
- G) a court order;
- H) an affidavit of adverse possession.

- 4) Copies of leases or contracts concerning the property, if applicable.

d) Verification

The Chief County Assessment Officer of each county may verify information contained on applications for a Fraternal Organization Assessment Freeze by any of the following methods:

- 1) Requiring each applicant, at the time of filing an application, to produce for inspection by the Chief County Assessment Officer, or a designee, any or all of the documentation specified in subsection (b);

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- 2) Establishing uniform audit guidelines and procedures for determining under what circumstances additional documentation will be required from applicants and what procedures will be used to obtain that documentation from applicants;

- 3) Examining under oath the affiant on the application or any other member of the fraternal organization, chartered fraternal organization, or subordinate fraternal organization; and
- 4) Examining any public records or conducting an investigation to determine the identity of persons using the property for the assessment year.

(Source: Added at 25 Ill. Reg. 6386, effective _____)

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Cancellation, Revocation or Suspension of Licenses or Permits

2) Code Citation: 92 Ill. Adm. Code 1040

- 3) Section Numbers
1040.100
Adopted Action
Amendment

- 4) Statutory Authority: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code (625 ILCS 5/Ch. 6, Art. I) and authorized by Section 2-104(b) of the Illinois Vehicle Code (625 ILCS 5/2-104(b)).

5) Effective Date of Amendment: April 26, 2001

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this amendment contain incorporations by reference? No

- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Notice of Proposal Published in Illinois Register: 25 Ill. Reg. 1996 (February 2, 2001).

- 10) Has JCAR issued a Statement of Objection to this rulemaking? No

- 11) Differences between proposal and final version: None

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

- 13) Will this rulemaking replace any emergency rulemaking currently in effect?
No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Rulemaking: This amendment is being adopted to include previously enacted new legislation.

- 16) Information and questions regarding this adopted rulemaking shall be directed to: Robert W. Mueller
Office of the Secretary of State
Driver Services Department
2701 S. Dirksen Parkway
Springfield, IL 62723
217-782-5356

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

The full text of the adopted amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1040
CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

Court to Forward Licenses and Reports of Convictions
1040.10 Illinois Offense Table
1040.25 Suspension or Revocation for Driving Without a Valid Driver's License
1040.29 Under or More Traffic Offenses Committed Within 24 Months by a Person Under the Age of 21 Years
1040.30 3 or More Traffic Offenses Committed Within 12 Months
1040.31 Operating A Motor Vehicle During a Period of Suspension or Revocation
1040.32 Suspension or Revocation of Driver's Licenses, Permits or Identification Cards Used Fraudulently
1040.33 Suspension or Revocation of Driver's Licenses/Permits for Fictitious or Unlawfully Altered Person-with-Disabilities License Plate or Parking Decal or Device or Fraudulent Person-with-Disabilities License plate or Parking Decal or Device
1040.35 Commission of an Offense Requiring Mandatory Revocation or Discretionary Suspension or Revocation Upon Conviction
1040.36 Suspension for Violation of Restrictions on Driver's License
1040.37 Suspension for Violation of Restrictions on Instruction Permit
1040.38 Commission of a Traffic Offense in Another State
1040.40 Repeated Convictions or Collisions
1040.41 Suspension of Licenses for Curfew Violations
1040.42 Fleeing and Eluding
1040.43 Illegal Transportation
1040.46 Fatal Accident and Personal Injury Suspensions or Occupational Vehicle Emission Suspensions
1040.48 Suspension of License of Commercial Vehicle Driver
1040.50 Driver Remedial Education Course
1040.52 Suspension for Driver's License Classification Violations
1040.55 Release of Information Regarding a Disposition of Court Supervision
1040.60 Offenses Occurring on Military Bases
1040.65 Invalidation of a Restricted Driving Permit
1040.70 Problem Driver Pointer System
1040.70 Cancellation of Driver's License Upon Issuance of a Handicapped Identification Card
1040.100 Rescissions
1040.101 Reinstatement Fees
1040.102 Bankruptcy for Suspensions, Cancellations, Failure to Pay and Returned Checks Actions
1040.105 Suspension for 5 or More Tollway Violations and/or Evasions

authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].
SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 26, p. 282, effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982, codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2209, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 23, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10 Ill. Reg. 12655, effective September 4, 1986; amended at 11 Ill. Reg. 16921, effective October 1, 1987; amended at 11 Ill. Reg. 20659, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 1, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1989; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7802, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 2, 1989; amended at 13 Ill. Reg. 17087, effective October 16, 1989; amended at 13 Ill. Reg. 20127, effective December 8, 1989; amended at 14 Ill. Reg. 2944, effective February 7, 1990; amended at 14 Ill. Reg. 5178, effective April 1, 1990; amended at 14 Ill. Reg. 5560, effective April 13, 1990; amended at 14 Ill. Reg. 18088, effective October 22, 1990; amended at 15 Ill. Reg. 14258, effective September 24, 1991; amended at 17 Ill. Reg. 8512, effective May 27, 1993; amended at 17 Ill. Reg. 9028, effective June 2, 1993; amended at 17 Ill. Reg. 12782, effective July 2, 1993; amended at 18 Ill. Reg. 7447, effective May 3, 1994; amended at 18 Ill. Reg. 10853, effective June 27, 1994; amended at 18 Ill. Reg. 11644, effective July 7, 1994; amended at 18 Ill. Reg. 16443, effective October 24, 1994; amended at 20 Ill. Reg. 2558, effective January 26, 1996; amended at 21 Ill. Reg. 8398, effective June 30, 1997; amended at 21 Ill. Reg. 10985, effective July 29, 1997; amended at 21 Ill. Reg. 12249, effective August 26, 1997; amended at 21 Ill. Reg. 12609, effective August 29, 1997; amended at 22 Ill. Reg. 1438, effective January 1, 1998; amended at 22 Ill. Reg. 5003, effective February 26, 1998; amended at 22 Ill. Reg. 13834, effective July 30, 1998; amended at 24 Ill. Reg. 16855, effective January 11, 2000; emergency amendment at 24 Ill. Reg. 8398, effective June 2, 2000, for a maximum of 150 days; emergency expired October 29, 2000; emergency amendment at 24 Ill. Reg. 16096, effective October 12, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 16689, effective October 30, 2000; amended at 25 Ill. Reg. 2723, effective January 31, 2001; amended at 25 Ill. Reg. 6402.

Section 1040.100 Rescissions

a) For purposes of this Section, the following definitions shall apply:
"Cancellation" - the annulment or termination by formal action of

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Arts. II and VII] and

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

the Secretary of a person's driver's license because of some error or defect in the license or because the licensee is no longer entitled to such license, but the cancellation of a license is without prejudice and application for a new license may be made at any time after such cancellation as defined in Section 1-110 of the Illinois Vehicle Code [625 ILCS 5/1-110] (~~§§1-Rev-Stat-1987-ch-95-1/2-par-1-110~~).

"Denial of Driver's License" - to prohibit or disallow the privilege to obtain a driver's license while allowing the privilege to obtain an instructional permit and limiting privileges to that of an instructional permit, if a driver's license has been previously issued in accordance with Sections 6-107(c) and 6-107(d) of the Illinois Vehicle Code [625 ILCS 5/6-107(c) and 6-107(d)].

"Denial of Driving Privilege" - to prohibit or disallow the privilege to obtain a driver's license or permit and/or the privilege to operate a motor vehicle in accordance with Section 6-107(c) of the Illinois Vehicle Code [625 ILCS 5/6-107(c)].

"Department" - Department of Driver Services within the Office of the Secretary of State.

"Failure to Appear Suspension ~~Suspensions~~" - suspension for failing to pay a fine or appear in court following the issuance of a traffic ticket.

"Rescission" - to annul or void a suspension, revocation, cancellation or denial.

"Revocation" - termination by formal action of the Secretary of a person's license or privilege to operate a motor vehicle on the public highways, which termination shall not be subject to renewal or restoration except that an application for a new license may be presented and acted upon by the Secretary after the expiration of at least one year after the date of revocation as defined in Section 1-176 of the Illinois Vehicle Code [625 ILCS 5/1-176] (~~§§1-Rev-Stat-1987-ch-95-1/2-par-1-176~~).

"Statutory Summary Suspension" - withdrawal of a person's license or privilege to operate a motor vehicle on the public highways due to refusal to submit to or failure to complete or pass a chemical test or tests following an arrest for driving under the influence of drugs and/or alcohol as provided in Section 1-197.5 (~~Section-1-203-b of the Illinois Vehicle Code [625 ILCS 5/1-197.5] (§§1-Rev-Stat-1987-ch-95-1/2-par-1-203-b)~~).

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

"Stricken on Leave" - stricken off call with leave to reinstate.

"Supervision" - a disposition of conditional and revocable release without probationary supervision, but under such conditions and reporting requirements as are imposed by the court, at the successful conclusion of which disposition the defendant is discharged and a judgment dismissing the charges is entered as defined in Section 5-1-21 of the Unified Code of Corrections [730 ILCS 5/5-1-21] (~~§§1-Rev-Stat-1987-ch-387-par-1-195-1-21~~).

"Suspension" - the temporary withdrawal, by formal action of the Secretary, of a person's license or privilege to operate a motor vehicle on the public highways, for a period specifically designated by the Secretary as defined in Section 1-204 of the Illinois Vehicle Code [625 ILCS 5/1-204].

"Vacated" - to set aside, annul, rescind, render void, or cancel an order.

"Warrant Parking/Traffic Suspensions" - suspensions for arrest warrants issued for failure to pay fines for traffic and/or parking violations.

- b) The Department shall rescind the following orders when the specified criteria are met:
- 1) Suspensions, and revocations and denials of driver's license/driving privilege, except warrant parking/traffic suspensions and failure to appear suspensions (as applied to residents and non-residents), upon receipt of certified court evidence reporting non-conviction ~~non-conviction~~, supervision ~~supervision~~, stricken on leave (S.O.L), or a correction or an amendment stating there was an error which formed the basis of the suspension, or the revocation, or the denial of driver's license/driving privilege and/or it has been vacated or that a previously submitted judgment has been reversed.
 - 2) Cancellation upon receipt by the Department of one of the following:
 - A) evidence from an instructor of a Driver Education Program indicating the driver has re-enrolled in the program; or
 - B) favorable physical or psychiatric report from a licensed medical specialist prior to the effective date of the cancellation or receipt of a second report completed by the licensed medical specialist showing the original report submitted was incorrect; or
 - C) evidence from a licensed medical specialist indicating that he/she failed to submit a favorable medical report for the driver within 90 days; or

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

- D) evidence reversing a decision made by the Department that 2 two-(2) driver's license records are the same person; or
- E) court evidence changing the disposition of a conviction previously reported upon which the cancellation was based; or
- F) documentation from another state licensing agency which reverses an original report upon which the cancellation was based.
- 3) Failure to Appear. Suspensions upon receipt of certified court evidence vacating the Failure to Appear or when the Department receives a compliance notice or court receipt prior to the effective date of the suspension indicating that the charges have been satisfied.
- 4) Statutory Summary Suspensions upon receipt of a Certified Hearing Disposition Notice or court order from the court of venue to rescind the suspension.
- 5) Warrant/Parking Traffic Suspensions upon receipt of certified evidence from the court indicating that the original report was in error or that the person identified in the original report was the wrong defendant or the Department receives notice of final disposition prior to the effective date of the suspension.
- c) The Department shall rescind a suspension, or revocation, or cancellation pursuant to a decision rendered by the Department of Administrative Hearings within the Office of the Secretary of State as provided in Section 2-118 of the Illinois Vehicle Code [625 ILCS 5/2-118] Registration--law--of the Illinois Vehicle Code [625 ILCS 5/2-118] (Ill-Rev-Stat:1987-ch-95-1/2-par-2-118) and 92 Ill. Adm. Code 1001.

(Source: Amended at 25 Ill. Reg. 6402, effective _____)

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Commercial Driver Training Schools
- 2) Code Citation: 92 Ill. Adm. Code 1060
- 3) Section Number
1060.200
Adopted Action
Amendment
- 4) Statutory Authority: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Art. I] and authorized by Section 2-104(b) of the Illinois Vehicle Code [625 ILCS 5/2-104(b)]
- 5) Effective Date of Amendment: April 26, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 25 Ill. Reg. 1173 (January 26, 2001).
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect?
No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment: This rulemaking is adopted to incorporate changes that were omitted at the last revision date; these changes are necessary due to previously enacted legislation.

16) Information and questions regarding this adopted rulemaking shall be directed to: Robert W. Mueller

Assistant General Counsel
Office of the Secretary of State
2701 S. Dirksen Parkway
Springfield, IL 62723

217/782-5356

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

The full text of the adopted amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1060
COMMERCIAL DRIVER TRAINING SCHOOLS

Section	Definitions
1060.5	Unlicensed Person May Not Operate Driver Training School
1060.10	Requirements for School Licenses
1060.20	Driver Training Schools Names
1060.30	Refund of Application Fees
1060.40	School Locations and Facilities
1060.50	Driver Training School Student Instruction Record
1060.60	Driver Training School Course of Instruction
1060.70	Driver Training School Contracts
1060.80	Inspection of School Facilities
1060.90	Licenses
1060.100	Safety Inspection of Driver Training School Motor Vehicles
1060.110	Requirements to Obtain and Retain a Driver Training Instructor's License
1060.120	Examination for Driver Training Instructor
1060.130	Temporary Permit
1060.140	Driver Training School Responsibility for Employees
1060.150	Solicitation of Students and Pupils for Commercial Driver Training Instruction
1060.160	Hearings
1060.170	Test Accreditation
1060.180	Denial, Cancellation, Suspension, and Revocation of Commercial Driver Training School's License and Instructor's License
1060.190	Commercial Driver's License and/or Endorsement and/or Accreditation
1060.200	

AUTHORITY: Implementing Article IV of the Illinois Driver Licensing Law of the Illinois Motor Vehicle Code [625 ILCS 5/Ch. 6, Art. IV] and authorized by Section 2-104(b) of the Illinois Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].

SOURCE: Filed March 2, 1972; codified at 6 Ill. Reg. 12697; transferred from 23 Ill. Adm. Code 252.50 (State Board of Education) pursuant to Section 5-80(d) of the Illinois Administrative Procedure Act [5 ILCS 100/5-80(d)] and Section 6-411 of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-411] at 11 Ill. Reg. 1631, effective December 31, 1986; amended at 11 Ill. Reg. 17244, effective October 13, 1987; amended at 12 Ill. Reg. 13203, effective August 1, 1988; amended at 12 Ill. Reg. 19756, effective November 15, 1988; amended at 14 Ill. Reg. 8658, effective May 18, 1990; recodified at 17 Ill. Reg. 20006, effective November 3, 1993; amended at 18 Ill. Reg. 7788, effective May 9, 1994; amended at 20 Ill. Reg. 3861, effective February 14, 1996; amended at 22 Ill. Reg. 22069, effective December 2, 1998; emergency

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

amendment at 24 Ill. Reg. 8403, effective June 2, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15443, effective October 5, 2000; amended at 25 Ill. Reg. 0408, effective 1/1/01.

Section 1060.200 Commercial Driver's License and/or Endorsement and/or Accreditation

a) Accreditation of the Program - Each commercial driver training school that desires to offer instruction to those individuals who wish to obtain a CDL and/or endorsement and/or restriction must be accredited by the Secretary of State through the Department of Driver Services before such instruction can be offered or advertised.

1) Upon receipt of proper application for accreditation, the Secretary of State shall investigate the program and verify the information contained in the application. A Secretary of State employee shall contact the applicant and make an appointment to inspect the school's facilities. At the time of inspection, the Secretary of State employee shall verify that the school meets the standards for CDL accreditation set forth in subsections (b) through (f) of this Section in addition to all other applicable subsections within this Part. These standards shall be furnished to the school by the Secretary of State before the visit. If the school requests them. If all qualifications and standards are met, the school shall be accredited to offer instruction on how to operate a vehicle with CDL and/or endorsement and/or restriction classification.

2) The CDL and/or endorsement and/or restriction accreditation is renewable on January 1 of each year, provided the school is in compliance with this Part.

3) Only qualified teaching personnel who already possess a CDL and/or endorsement and/or restriction classification may teach the drive portion of instruction.

b) Required facilities - All CDL and endorsement accredited schools must provide all classroom and vehicle facilities and equipment as prescribed in Article IV of the Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Art. IV] and Section 1060.50 of this Part. Those who desire to provide instruction to person(s) who wish to obtain a CDL and/or endorsement and/or restriction classified license must additionally provide a vehicle training area, owned or leased by the school, with sufficient space to properly accommodate the number of vehicles the school has in operation and appropriate off-street maneuvers.

1) Required course of instruction:

A) CDL accredited driving schools must administer driving instruction that corresponds to a curriculum that will be provided to the school by the Secretary of State. Each CDL accredited driving school must provide the minimum of 160 hours of instruction in not less than a 4 week period to

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

each student as indicated in the curriculum.

- B) The following curriculum must be offered to each first time CDL student in a minimum of 4 weeks. Each student must receive 160 hours of CDL instruction allocated as follows:
- Classroom. 40 hours of classroom instruction; this includes, but is not limited to, preparation for the Secretary of State's written examinations and all chapters of this curriculum.
 - Range. 16 hours of training yard behind-the-wheel instruction. This requires one on one instruction with a properly licensed CDL instructor and vehicle on an approved training lot.
 - Over the Road. 16 hours of behind-the-wheel instruction on public streets and highways. This requires one on one instruction with a properly licensed CDL instructor and vehicle.
 - Observation. 10 hours of observation experience composed of observation of the practice range and over-the-road training.
 - Remedial Training. 78 hours of additional classroom training, observation, and practice range/over-the-road training based on each CDL student's specific needs.

The training schedule outlined above must follow the Illinois Occupational Skill Standards, Entry-Level Truck Driver Manual endorsed for Illinois by the Illinois Occupational Skill Standards and Credentialing Counsel. This Manual is available from the Secretary of State Driver Facility, Ropolio Drive, Elk Grove Village IL 60007.

- C) Instructional materials shall be available and shall include at least one of the following: a 16 mm sound projector and screen, video equipment with films processed on video tape, a film or films.

D) A professional library containing an assortment of reference and textbooks, pamphlets, and other publications including but not limited to the CDL Study Guide, which are available for the use of students and teachers.

- E) A brush-up course of instruction may be offered to individuals who currently hold or have held a CDL or its equivalent. The school must maintain records that verify students qualify for a brush-up course. This course may be offered on an hourly basis. No brush-up course may be offered to any individual who has never held a CDL or its equivalent.

F) Classroom instruction - CDL and/or endorsement and/or restriction classification instruction.

- 1) Each classroom course must have a definite starting date and completion date. A listing of students

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

enrolled in each course shall be sent to the Secretary of State, within 3 days after the third day of classroom instruction, on forms provided by the Secretary of State.

- ii) Classroom instruction shall include subject matter relating to the rules of the road as contained in the CDL Study Guide, safe driving practices, pedestrian safety, defensive driving techniques, behavioral characteristics of drivers, federal regulations relating to the Department of Transportation and CDL standards (49 CFR 383), vehicle insurance, the use of safety devices, and the effects of alcohol and drugs on driving.

- iii) Practice driving instruction must comply with the Curriculum provided by the Office of the Secretary of State.

- iv) Audio-visual materials shall be used as a supplement to the teacher's presentation, but not as a replacement. Reference materials are to be available to the students and their use assured by assignments. All assignments are to be made in advance of due dates and shall include outside reading as well as preparation for testing.

- v) A regular schedule of classroom testing shall be followed. Student progress is to be periodically evaluated. Criteria for passing or failing the course shall be evident to the student, and successful completion clearly defined.

- vi) Each student shall be informed, prior to the time instruction begins, of the amount of any and all fees or charges made for enrollment or registration, tuition, use of equipment, or materials provided by the CDL and/or endorsement and/or restriction accredited driver training program.

- vii) Instruction of each student in the class shall begin on the date and location designated by advertisement and continue throughout the designed period, unless the course is cancelled and the student is refunded any fees already paid.

- c) Laboratory instruction - for persons taking instruction for CDL and/or endorsement and/or restriction classification.

- 1) Behind-the-wheel instruction shall not begin until such time as the student is enrolled in a classroom program of CDL and/or endorsement and/or restriction classification driver training and obtains the required knowledge for the safe operation of a vehicle in traffic as provided in 49 CFR 383.110-121.

- ii) Each student must have in his/her possession when

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

engaged in vehicle operation a valid and properly classified instruction permit issued by the Secretary of State, unless previously licensed in a classification representative of the vehicle he/she intends to drive.

- iii) Practice driving instruction shall include but not be limited to pre-trip inspection, actual experience in starting, stopping, shifting, turning, backing, docking, parking, steering, and emergency situation procedures.

- iv) CDL skills testing **Behind-the-wheel--instruction** for "a" classification must be given in a representative power unit with a multi-range transmission with no fewer than 9 forward gears and a representative trailer at least 48 feet long with a tandem axle.

- 2) Student ratio per course

- A) The total number of students enrolled in each CDL accredited course in any 30 day period shall not exceed 5 4 students per each currently licensed instructor.

- B) The total number of students enrolled in each CDL accredited course in any 30 day period shall not exceed 6 students for each currently registered CDL vehicle.

- c) Classroom teacher qualifications

- 1) Each CDL and/or endorsement and/or restriction accredited driver training school must have at least one classroom instructor employed by the school, who meets the standards of Section 6-411 of the Illinois Vehicle Code [625 ILCS 5/6-411].

- 2) Required classroom teacher qualifications:

- A) A driver training instructor teaching the classroom portion of a CDL and/or endorsement and/or restriction accredited course must comply with Sections 1060.120 and 1060.130 of this act.

- B) The instructor must possess good physical and mental health as determined by a physician. An application/physical examination form shall be provided by the Secretary of State which shall be completed by the instructor and a physician.

- C) A classroom instructor must pass an objective type instructor written examination based upon the Illinois Vehicle Code, commercial school rules and regulations, and the Commercial Motor Vehicle Safety Act of 1986 (49 USC 2704). The written examination shall consist of 125 questions (90 multiple choice and 35 true/false) and the instructor must correctly answer 106 questions to pass.

- d) CDL and/or endorsement and/or restriction behind-the-wheel teacher qualifications

- 1) Each CDL and/or endorsement and/or restriction accredited driver training school must have at least one behind-the-wheel instructor employed by the school, who meets the standards of

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

Section 6-411 of the Illinois Vehicle Code [625 ILCS 5/6-411].

2) Required behind-the-wheel teacher qualifications:

- A) A driver training instructor teaching the behind-the-wheel portion of a CDL and/or endorsement and/or restriction accredited course must comply with the provisions of Sections 1060.120 and 1060.130 of this Part and be licensed in a classification representative of the vehicle in which they intend to teach for at least 3 consecutive years immediately prior to application (a 1 month lapse in renewal will not negate the 3 consecutive years requirement).
- B) The instructor must possess good physical and mental health as determined by a physician. An application/physical examination form shall be provided by the Secretary of State which shall be completed by the instructor and a physician.
- C) The instructor shall give instruction only in the classification and/or endorsement and/or restriction in which he/she is licensed.
- D) A behind-the-wheel instructor must pass an objective type instructor written examination based upon the Illinois Vehicle Code, commercial school rules and regulations, and the Commercial Motor Vehicle Safety Act of 1986 (49 USC 2704) as provided for in subsection (c)(1)(C) of this Section. In addition, a behind-the-wheel instructor must pass a practical test regarding his/her ability to drive a vehicle of CDL and/or endorsement and/or restriction classification (92 Ill. Adm. Code 1030.85).

e) Student Instruction Records

- 1) Records shall be maintained by schools that which document daily attendance, lesson time, and periodic evaluation of each student. Also recorded shall be the dates of classroom instruction, behind-the-wheel instruction and observation time. Students are to be identified by their social security numbers as well as by name, address, and other personal information. A driver license number also must be entered on the student record. Such records are to be on file in the office of the management for a period of 3 years.
- 2) The driver school with a CDL and/or endorsement and/or restriction accreditation must meet all requirements of Section 1060.60 of this Part.
- 3) The school and each student must maintain separate but identical logs of the student's behind-the-wheel instruction and observation time. The logs must include the dates of instruction, type of instruction, student/instructor signatures and odometer readings of the vehicles used for instruction.
- 4) A Secretary of State form shall be used for submitting names of those students who have satisfactorily fulfilled the CDL accreditation course. The form shall be signed by an authorized official of the school.

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

- F) The Secretary of State shall suspend or revoke, cancel or deny the license and/or accreditation of any driver training school or driver training instructor if the school or instructor fails to comply with the provisions of this Part or 49 CFR 383.

(Source: Amended at 25 Ill. Reg. 0409, effective 10/1/00)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF CORRECTION TO NOTICE ONLY

- 1) Heading of the Part: Incidental Taking of Endangered or Threatened Species
- 2) Code Citation: 17 Ill. Adm. Code 1080
- 3) The Notice of Proposed Amendments being corrected appeared at: 25 Ill. Reg. 5220, April 13, 2001
- 4) The information being corrected is as follows:

A Complete Description of the Subjects and Issues Involved: This proposed rule provides for the orderly authorization of the taking of endangered species as provided in the Illinois Endangered Species Protection Act [520 ILCS 10/5.5]. The Notice of Proposed Amendments for this Part erroneously indicated that the proposed rule only relates to the incidental taking of endangered animals.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

NOTICE OF REVOCATION UNDER
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

Pursuant to Section 4-5(g) and (h) of the Residential Mortgage License Act of 1987 ("the Act"), 205 ILCS 635/4-5(g) and (h) (1998), notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has revoked the license of Progressive Mortgage Financial Company, Inc. of Chicago, Illinois, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective May 7, 2001.

DEPARTMENT OF LABOR

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

1) Heading of the Part: Statewide Displaced Homemakers Program

2) Code Citation: 56 Ill Adm Code 365

3) Register Citation to Notice of Proposed Rules: 25 Ill Reg. 5701, 4/27/01

4) Date, Time and Location of Public Hearing:

Friday, June 8, 2001

1:00 P.M.

Illinois Department of Labor

160 North LaSalle Street, Suite C-1300

Chicago, Illinois 60601

5) Other Pertinent Information: Persons interested in presenting testimony at this hearing are advised that the Illinois Department of Labor will adhere to the following procedures in the conduct of the hearing:

1. No oral testimony shall exceed an aggregate of fifteen (15) minutes.
2. Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
3. No person will be recognized to speak for a second time until all persons wishing to testify have done so.
4. Subject to these requirements, when the hearing will be expedited and the interests of the parties will not be prejudiced, any part of the evidence may be offered in written form.
5. In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the hearing officer may impose such other rules of procedure, including the order of call of witnesses, as s/he deems necessary.

6) Name and Address of Agency Contact Person: Questions regarding the public hearings shall be directed to:

William A. Rolando, Assistant Director
Illinois Department of Labor
One West Old State Capital Plaza, Room 300
Springfield, Illinois 62701
(217) 782-1704

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF WITHDRAWAL OF PROPOSED AMENDMENTS

1) Heading of the Part: Procedures of the Department of State Police Merit Board

2) Code Citation: 80 Ill. Adm. Code 150

3) Section Numbers: Proposed Action:
150.410 Withdrawal
150.430 Withdrawal

4) Date Notice of Proposed Amendments Published in the Register: October 13, 2000; 24 Ill. Reg. 15017

5) Reason for the Withdrawal: Due to comments received, the Board has decided to withdraw the rule change.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NEXT TENTATIVELY SCHEDULED MEETING:

STRATTON OFFICE BUILDING
ROOM C-1
SPRINGFIELD, ILLINOIS
9:00 A.M.
MAY 15, 2001

NOTICES: The scheduled date and time for the JCAR meeting are subject to change. Due to Register submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting and items from the list can be postponed to future meetings.

If members of the public wish to express their views with respect to a rulemaking, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706
Email: jcar@legis.state.il.us
Phone: 217/785-2254

RULEMAKINGS CURRENTLY BEFORE JCAR

PROPOSED RULEMAKINGS

Agriculture

1. Standardbred and Thoroughbred Horse Breeding and Racing Programs , Illinois (8 Ill Adm Code 290)
-First Notice Published: 25 Ill Reg 300 - 1/12/01
-Expiration of Second Notice: 6/11/01

Central Management Services

2. Pay Plan (80 Ill Adm Code 310)
-First Notice Published: 25 Ill Reg 1889 - 2/2/01
-Expiration of Second Notice: 6/6/01

3. Pay Plan (80 Ill Adm Code 310)
-First Notice Published: 25 Ill Reg 1037 - 1/26/01
-Expiration of Second Notice: 6/7/01

Historic Preservation

4. Illinois Heritage Grants Program (17 Ill Adm Code 4111)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NEXT TENTATIVELY SCHEDULED MEETING:

STRATTON OFFICE BUILDING
ROOM C-1
SPRINGFIELD, ILLINOIS
9:00 A.M.
MAY 15, 2001

-First Notice Published: 24 Ill Reg 17704 - 12/8/00
-Expiration of Second Notice: 5/23/01

Human Services

5. General Administrative Provisions (89 Ill Adm Code 10)
-First Notice Published: 25 Ill Reg 1898 - 2/2/01
-Expiration of Second Notice: 5/30/01

6. Food Stamps (89 Ill Adm Code 121)

-First Notice Published: 25 Ill Reg 2258 - 2/9/01
-Expiration of Second Notice: 5/30/01

7. Authorizations (89 Ill Adm Code 520)

-First Notice Published: 25 Ill Reg 2524 - 2/16/01
-Expiration of Second Notice: 5/30/01

Insurance

8. Modified Guaranteed Annuity (MGA) Contracts (50 Ill Adm Code 1410)
-First Notice Published: 24 Ill Reg 17872 - 12/15/00
-Expiration of Second Notice: 5/23/01

9. Personal Information Privacy Protection (50 Ill Adm Code 4002)
-First Notice Published: 25 Ill Reg 1955 - 2/2/01
-Expiration of Second Notice: 6/10/01

Labor

10. Arbitration Policies, Functions, and Procedures (56 Ill Adm Code 110)
-First Notice Published: 25 Ill Reg 775 - 1/19/01
-Expiration of Second Notice: 5/18/01

Natural Resources

11. Youth Hunting Season for White-Tailed Deer (17 Ill Adm Code 685)
-First Notice Published: 25 Ill Reg 2661 - 2/16/01
-Expiration of Second Notice: 5/27/01

12. Disabled Hunting Method Authorizations (17 Ill Adm Code 760)
-First Notice Published: 25 Ill Reg 2962 - 2/23/01

JOINT COMMITTEE ON ADMINISTRATIVE RULES

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STRATTON OFFICE BUILDING
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9:00 A.M.
MAY 15, 2001

-Expiration of Second Notice: 5/30/01

Nuclear Safety

13. Standards for Protection Against Laser Radiation (32 Ill Adm Code 315)
-First Notice Published: 25 Ill Reg 1 - 1/5/01
-Expiration of Second Notice: 5/30/01

Public Aid

14. Hospital Services (89 Ill Adm Code 148)
-First Notice Published: 25 Ill Reg 2260 - 2/9/01
-Expiration of Second Notice: 6/8/01
15. Hospital Reimbursement Changes (89 Ill Adm Code 152)
-First Notice Published: 25 Ill Reg 39 - 1/5/01
-Expiration of Second Notice: 6/6/01

Public Health

16. Rules of Practice and Procedure in Administrative Hearings Held Pursuant to Sections 2-110(d) and 410 of the Nursing Home Care Reform Act of 1979 (77 Ill Adm Code 430)
-First Notice Published: 24 Ill Reg 17463 - 11/27/00
-Expiration of Second Notice: 5/23/01

17. Illinois Alzheimer's Disease and Related Disorders Assistance Code (77 Ill Adm Code 710)
-First Notice Published: 25 Ill Reg 2267 - 2/9/01
-Expiration of Second Notice: 5/31/01

18. Structural Pest Control Code (77 Ill Adm Code 830)
-First Notice Published: 24 Ill Reg 19002 - 12/29/00
-Expiration of Second Notice: 5/18/01

Revenue

19. Income Tax (86 Ill Adm Code 100)
-First Notice Published: 25 Ill Reg 2973 - 2/23/01
-Expiration of Second Notice: 5/24/01

JOINT COMMITTEE ON ADMINISTRATIVE RULES

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MAY 15, 2001

20. Retailers' Occupation Tax (86 Ill Adm Code 130)
-First Notice Published: 25 Ill Reg 2325 - 2/9/01
-Expiration of Second Notice: 5/20/01

21. Retailers' Occupation Tax (86 Ill Adm Code 130)
-First Notice Published: 25 Ill Reg 2676 - 2/16/01
-Expiration of Second Notice: 5/20/01

Secretary of State

22. Certificates of Title, Registration of Vehicles (92 Ill Adm Code 1010)
-First Notice Published: 25 Ill Reg 3230 - 3/2/01
-Expiration of Second Notice: 6/10/01
23. Issuance of Licenses (92 Ill Adm Code 1030)
-First Notice Published: 25 Ill Reg 2687 - 2/16/01
-Expiration of Second Notice: 5/23/01

State Police

24. Missing Person Birth Records and School Registration (20 Ill Adm Code 1290)
-First Notice Published: 25 Ill Reg 2706 - 2/16/01
-Expiration of Second Notice: 5/18/01

Student Assistance Commission

25. General Provisions (23 Ill Adm Code 2700)
-First Notice Published: 25 Ill Reg 1205 - 1/26/01
-Expiration of Second Notice: 6/2/01
26. Federal Family Education Loan Program (FFELP) (23 Ill Adm Code 2720)
-First Notice Published: 25 Ill Reg 1191 - 1/26/01
-Expiration of Second Notice: 6/2/01

27. Alternative Loan Program (23 Ill Adm Code 2721)
-First Notice Published: 25 Ill Reg 1182 - 1/26/01
-Expiration of Second Notice: 6/2/01

28. Illinois National Guard (ING) Grant Program (23 Ill Adm Code 2730)
-First Notice Published: 25 Ill Reg 1228 - 1/26/01

JOINT COMMITTEE ON ADMINISTRATIVE RULES

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STRATTON OFFICE BUILDING
ROOM C-1
SPRINGFIELD, ILLINOIS
9:00 A.M.
MAY 15, 2001

-Expiration of Second Notice: 6/2/01

29. Illinois Veteran Grant (IVG) Program (23 Ill Adm Code 2733)
-First Notice Published: 25 Ill Reg 1241 - 1/26/01
-Expiration of Second Notice: 6/2/01

30. Monetary Award Program (MAP) (23 Ill Adm Code 2735)
-First Notice Published: 25 Ill Reg 1247 - 1/26/01
-Expiration of Second Notice: 6/2/01

31. Illinois Incentive for Access (IIA) Program (23 Ill Adm Code 2736)
-First Notice Published: 25 Ill Reg 1224 - 1/26/01
-Expiration of Second Notice: 6/2/01

32. Student to Student (STS) Program of Matching Grants (23 Ill Adm Code 2770)
-First Notice Published: 25 Ill Reg 1256 - 1/26/01
-Expiration of Second Notice: 6/2/01

33. College Savings Bond Bonus Incentive Grant (BiG) Program (23 Ill Adm Code 2771)
-First Notice Published: 25 Ill Reg 1186 - 1/26/01
-Expiration of Second Notice: 6/2/01

34. Illinois Prepaid Tuition Program (23 Ill Adm Code 2775)
-First Notice Published: 25 Ill Reg 1232 - 1/26/01
-Expiration of Second Notice: 6/2/01

EMERGENCY RULEMAKINGPublic Aid

35. Hospital Services (89 Ill Adm Code 148) (Emergency)
-Notice Published: 25 Ill Reg 5432 - 4/13/01

EXPEDITED CORRECTIONSPollution Control Board

36. Mobile Sources (35 Ill Adm Code 240)
-Notice Published: 25 Ill Reg 5973 - 5/4/01

JOINT COMMITTEE ON ADMINISTRATIVE RULES

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MAY 15, 2001

Secretary of State

37. Procedures and Standards (92 Ill Adm Code 1001)
Notice Published: 25 Ill Reg 5670 - 4/20/01

AGENCY RESPONSESCommerce Commission

38. Requirements for Non-Business Entities with Private Business Switch Service to Comply with the Emergency Telephone System Act (83 Ill Adm Code 727; 24 Ill Reg 8454)

Pollution Control Board

39. Mobile Sources (35 Ill Adm Code 240; 24 Ill Reg 13820)
40. RCRA and UIC Permit Programs (35 Ill Adm Code 702; 24 Ill Reg 14535)
41. Underground Injection Control Operating Requirements (35 Ill Adm Code 730; 24 Ill Reg 14578)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of April 23, 2001 through April 30, 2001 and have been scheduled for review by the Committee at its May 15, 2001 meeting in Springfield or June 12, 2001 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
6/6/01	Department of Central Management Services, Pay Plan (80 Ill Adm Code 310)	2/2/01 25 Ill Reg 1889	5/15/01
6/6/01	Department of Public Aid, Hospital Reimbursement Changes (89 Ill Adm Code 152)	1/5/01 25 Ill Reg 39	5/15/01
6/7/01	Department of Central Management Services, Pay Plan (80 Ill Adm Code 310)	1/26/01 25 Ill Reg 1037	5/15/01
6/8/01	Department of Public Aid, Hospital Services (89 Ill Adm Code 148)	2/9/01 25 Ill Reg 2260	5/15/01
6/10/01	Secretary of State, Certificates of Title, Registration of Vehicles (92 Ill Adm Code 1010)	3/2/01 25 Ill Reg 3230	5/15/01
6/10/01	Department of Insurance, Personal Information Privacy Protection (50 Ill Adm Code 4002)	2/2/01 25 Ill Reg 1955	5/15/01
6/13/01	Department of Revenue, Income Tax (86 Ill Adm Code 100)	3/2/01 25 Ill Reg 3211	6/12/01
6/13/01	Department of Revenue, Automobile Renting Occupation Tax (86 Ill Adm Code 180)	1/19/01 25 Ill Reg 792	6/12/01

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

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